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by E. Harrington

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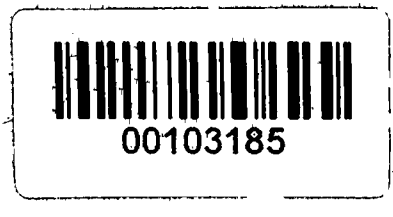

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| An Assistant Session Judge charged certain parties very properly with 'robbery,' but subsequently altered this charge, on which they should have been tried, into 'receiving,' without recording any reasons for so doing, an error which the Session Judge should have amended by returning the prisoners to be committed for the robbery .. .. .. .. .. .. .. | iii. | 283 |
| A case of conspiracy should have set out more in detail the overt acts attributed to each person .. .. .. .. .. | iii. | 375 |
| A complainant should have been sworn into the truth of his charge. | iii. | 457 |
| To arraign one person only on a charge of conspiracy, or on a charge of attempt to conspire, is wrong, inasmuch as the crime of conspiracy cannot be committed by a single individual, and there can be no such thing as an attempt to commit it, for the attempt would constitute the crime itself .. .. .. .. | iii. | 557 |
| Noticed that the object of conspiracy in three trials for that crime, should not have been set forth as against prisoners, but as intended to prevent the course of public justice : the public wrong involved being of more weight than the injury to individuals .. | iii. | 571-603 |

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| Noticed instance in which the act of a prisoner charged with fraudulently removing property from its owner, was not considered one cognisable under Section 40 Regulation XIV. of 1827.. | iii. | 672 |
| Rape being a distinct offence from an assault *causing bodily suffering*, it is unnecessary to add the latter words in the recital of a charge for rape .. .. .. .. .. .. .. | iii. | 693 |
| Noticed instance in which two prisoners charged with 'instigating and aiding in murder,' should have been charged with 'murder' .. .. .. .. .. .. .. .. | iii. | 711 |
| Noticed instance in which parties charged with forgery, should have been charged with conspiracy .. .. .. .. | iii. | 739 |
| As in a trial for conspiracy a charge of extortion should have formed the subject of a separate case, so an extract from the proceedings is sent to the Deputy Magistrate, who is directed to hand up the prisoners for trial on a separate charge .. .. | iii. | 590 |
| Noticed, that a charge against a writer in the Police department at Poona of receiving a bribe was dismissed, without any decision on the merits, and that the prisoners who accused and supported the accusation against the writer have now been prosecuted for conspiracy .. .. .. .. .. .. .. .. | iv. | 8–11 |
| The Court considers that the charge of bribery against a Police writer ought to have been inquired into and disposed of by the Magistrate .. .. .. .. .. .. .. .. | iv. | 8–11 |
| Noticed, in a case of child-stealing, that the second count—that of receiving the child, knowing or having evident grounds for suspecting she was stolen—was manifestly improper .. .. | iv. | 29–32 |
| Noticed instance in which the definition does not apply to the offence so charged against a prisoner, but is that which the English books call 'cheating,' or 'obtaining under false pretences' .. .. .. .. .. .. .. .. | iv. | 165 |
| In a charge of 'attempt at rape,' the addition of the following words 'thereby causing a severe mental shock and bodily suffering' were quite superfluous.. .. .. .. .. | iv. | 195 |
| Noticed instance in which a charge against a woman should have been not of murder only, but of 'murder, with robbery' .. | iv. | 338 |
| Noticed in a case of gang robbery, that the place where the robbery was committed, is omitted in the charge .. .. | iv. | 225 |
| When perjury is committed before several authorities, and finally before the Sessions Court, the offence before the Sessions Court should be the subject of the charge .. .. .. | iv. | 354 |
| A prisoner should have been tried on the charges on which he was committed; or, if these were inapplicable, the Magistrate should have been requested to frame others .. .. .. | iv. | 527–528 |
| The act of an Assistant Session Judge, in altering the charges on which prisoners were committed by a Magistrate, is illegal .. | iv. | 527–528 |
| Subsequent inquiry and conviction on a charge previously tried and disposed of by a Third Assistant Magistrate, in whose finding the Magistrate had concurred, were illegal .. .. .. | iv. | 551 |
| Noticed instance in which a charge should have been so investigated and proceeded with as to secure conviction .. .. | iv. | 852–853 |
| Noticed, that a charge preferred as one of 'robbery, attended with murder,' would more properly have been designated as 'murder, attended with robbery' .. .. .. .. .. .. | iv. | 869 |
| Held, that as the offence of which a prisoner was convicted was not the offence assigned by the indictment, the conviction of the prisoner is bad and must be annulled.. .. .. .. | iv. | 968 |
| An Assistant Session Judge is competent, under paragraph 4 of circular order No. 151, to amend a charge on which prisoners are first handed up to trial, by inserting the names of the parties robbed .. .. .. .. .. .. .. .. | v. | 91 |

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| A prisoner charged with forgery is directed to be remanded to the Magistrate, to be committed on a charge of secretly injuring the the property of another .. .. .. .. .. .. | v. | 112 |
| A prisoner convicted of a charge incorrectly framed, and of which he was not, as the charge was worded, guilty, was remanded, and directed to be tried upon a correct charge .. .. .. | v. | 181 |
| Noticed instance in which more correctness should have been observed before a prisoner was charged with, convicted of, and sentenced for perjury .. .. .. .. .. .. | v. | 266-267 |
| Noticed instance in which a prisoner, if guilty of anything is guilty of instigating the offence of forgery, or applying a forgery to a fraudulent purpose, with neither of which offences has he been charged .. .. .. .. .. .. .. .. | v. | 356 |
| The interpretation, Section 17 Regulation XIV. of 1827, quoted by a Session Judge for punishing a prisoner for forgery, does not apply to the offence or position of the prisoner, who was not on the establishment of the Collector, nor one who had falsified treasury accounts .. .. .. .. .. .. .. | v. | 356 |
| A Session Judge and Deputy Magistrate are called upon to explain, the one how he came to prepare, and the other how he came to try and to convict upon a charge of perjury, which has no foundation whatever upon the deposition of the prisoner, in that that deposition does not show him to have made the statement with which he is charged .. .. .. .. .. .. | v. | 460 |
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| Statements as to general character should be taken after conviction in aggravation of punishment, not as evidence to prove the charge. | v. | 542 |
| A man who held a woman while her husband cut off her nose, should have been charged with, committed for, and convicted of the assault .. .. .. .. .. .. .. | v. | 574-575 |
| A Magistrate should always enter the charge on which he commits a prisoner .. .. .. .. .. .. .. .. | v. | 702 |
| A Session Judge ought not to admit into charges averments which are not required by law, and which he does not think it necessary to see proved on the trial .. .. .. .. | v. | 776 |
| A charge of perjury is never to be tried, unless the very words that the accused is said to have uttered are set forth in the charge .. | v. | 786 |
| Noticed instance in which a prisoner, charged with 'abuse of authority,' should have been charged with 'fraudulent appropriation of property' .. .. .. .. .. .. .. | vi. | 119 |
| An Assistant Magistrate ought, when committing a prisoner, to detail the charge on which he his committed, not write *committed* on the charge preferred against him .. .. .. .. | vi. | 138 |
| A party arraigned for 'instigating a native officer to commit bribery," because, having been seized by some peons as a witness, he gave them six annas to let him go, was held by the Sudder to have committed no offence; nor that in the case there was any 'instigating to commit bribery' .. .. .. .. | vi. | 160 |
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| A charge of communicating information from the records of the Inam Commissioner should have, under the circumstances, been punished departmentally, and not have been made the subject of a criminal charge .. .. .. .. .. .. | vi. | 219 |
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| Prisoner should not be put on a trial for perjury on two charges—one, in having deposed in the affirmative, and the other in having deposed in the negative. The Judge should satisfy himself which statement is false, and try the prisoner for perjury in having made that statement .. .. .. .. .. | vi. | 316 |
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| A Deputy Magistrate should not return cases to the District Police Officer for the purpose of altering the charge, but should alter it himself .. .. .. .. .. .. .. | vi. | 380 |
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| Noticed, in a trial for 'conspiracy, forgery, and uttering a forged document,' that the charge of forgery should not have been brought forward; the main charge of conspiracy included them, and the Session Judge should have selected on which charge to try the prisoners .. .. .. .. .. .. .. | vi. | 569 |
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| Noticed instance in which for 'unintentional commission of culpable homicide,' and assault in driving over a woman and child, the charge should have been 'culpable homicide,' the absence of evil intent being taken into consideration in awarding punishment .. .. .. .. .. .. .. | vii. | 609 |
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| 400.—In accordance with this circular, the Police officers who apprehended a prisoner for murder should have been forwarded to the Sessions Court .. .. .. .. .. .. | iv. | 836 |
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| 411.—Noticed instance in which, contrary to the directions of circular No. 411, the evidence of the witnesses was not taken by the Superintendent of Police in the presence of the prisoner, although the prisoner was in attendance at the time .. .. | vi. | 114 |
| 417.—Noticed, that perhaps under the spirit of circular order No. 417, a trial for conspiracy might have been properly delayed till judgment of the Collector on appeal had been delivered .. | x. | 47 |
| 151.—Attention drawn to circular order No. 151, under which an Assistant Session Judge can amend a charge on which prisoners are first handed up to trial by inserting the names of the parties robbed .. .. .. .. .. .. .. | v. | 91 |
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| 480.—Noticed instance in which, had the circular order No. 480 been observed, there would have been no difficulty in carrying out the order of the Court for the restoration of a fine.. .. | iii. | 546-547 |
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| Noticed instance in which all a Magistrate had to do when a prisoner was acquitted, in whose possession property had been found, was to see the property placed in the same position as it was before the prisoner was taken up, and to have left those who thought they had a better claim to it, to establish their claim by a civil suit.. .. .. .. .. .. .. | vii. | 735 |
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| A petitioner is referred to sue in the civil courts a Magistrate for the loss he (petitioner) has sustained .. .. .. .. | viii. | 351 |
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| An Assistant Magistrate should not have interfered in the possession of property otherwise than by referring the parties to a civil suit .. .. .. .. .. .. .. .. | x. | 304 |
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| A party applying for the sale proceeds of a boat, is directed to prove his claim by a suit against the Magistrate .. .. .. | x. | 574 |
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| Issuing base coin; and instigating and aiding in that offence, Huree bin Luxomon Gaikur, and four others.. .. .. | iv. | 230-234 |
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| Uttering false coin; and coining money without authority from Government, Peran wulud Sheik Husun .. .. .. .. .. | ix. | 619-623 |
| The conviction and sentence of a prisoner charged with 'issuing money, knowing it to be base and unlawfully coined,' were annulled, the evidence of the giver and the receiver clearly showing that the square piece of bullion proffered and received was not regarded, nor designed, to form part of the currency of India, but was lodged as a deposit to be resumed on the payment of Rupees .. .. .. .. .. .. .. | v. | 552 |
| As under the authority quoted, a sentence of fine, not of unconditional punishment, should have been passed upon a prisoner convicted of 'unlawful coining, and of issuing base and unlawfully coined money,' the sentence, though not severe, is annulled, and direction given to pass a legal sentence .. .. .. | ix. | 623 |
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| The interpretation on Section 17 Regulation XIV. of 1827 quoted by the Session Judge for punishing a prisoner for forgery, does not apply nor to the offence nor to the position of one who was not on the establishment of the Collector, nor was one who had falsified treasury accounts .. .. .. .. | v. | 356 |
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| Noticed, that if the powers vested in a Sub-Collector are not sufficient to secure the revenue, he should apply to the legislature to have those powers extended .. .. .. .. | vi. | 188 |
| The Collector of Sholapore is directed by Government to try such cases arising at Akulcote as involve capital punishment, imprisonment for life, or transportation, in accordance with the rules now laid down; and that he is to hold his court for the trial of these cases at some place not subject to the regulations, leaving the trial of all others to the rajah of that estate.. .. .. | vii. | 274 |
| The Assistants to the Collector of Sholapore may also similarly try all such cases in lapsed villages as do not involve committal to jail under a warrant, as no warrant is legal except from a court notified by Government to be one under the meaning of Act I. of 1849 .. .. .. .. .. .. .. | viii. | 274 |
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| Comment, | | |
| Remarks that may be necessary on the evidence of a witness should appear at the close of it, but a Judge should abstain from mingling running comments with the contents of a deposition.. | ii. | 580 |
| A Joint Magistrate informed that he cannot be allowed to send to the Court his comments on their orders; if he think they are given under a mistake, he might point out the mistake; and if he think himself aggrieved by their remarks, he should appeal to Government .. .. .. .. .. .. .. | vii. | 662 |
| Commissioner of Police, | | |
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| Government agreeing with the Commissioner of Police, direct the immediate release of a Policeman convicted of, and sentenced for, culpable homicide, and who the Government consider to have merited reward rather than punishment .. .. .. | viii. | 16 |
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| Noticed the improper method of recording a committal thus—'a prisoner is convicted and found guilty,' is committed to stand his trial at the court of sessions .. .. .. .. .. | i. | 207 |
| When prisoners are re-committed on a new charge at the instance of the Sessions Court, the proceedings should show that the case had been regularly brought on, and the decision of the Session Judge had been duly communicated to the accused .. .. | i. | 451 |
| A Magistrate can commit a case at any time the sentence in which is erroneous or illegal, provided that the entire sentence passed by his subordinate has not been executed .. .. .. | i. | 512 |
| The trial by a Deputy Magistrate of a subordinate having been disapproved by the Magistrate, he should have annulled the conviction, and himself have committed the case to the Sessions Court .. .. .. .. .. .. .. .. | ii. | 61 |

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| Noticed failure to inform a prisoner of the precise act for which, and of how, and when he is committed .. .. .. .. | ii. | 168 |
| A case once committed ought to have been formally disposed of.. | ii. | 424 |
| A case once committed for trial cannot be discharged without an acquittal or conviction being recorded .. .. .. .. | ii. | 424 |
| In annulling a Deputy Magistrate's conviction, the Magistrate should have committed the prisoner himself, and not have returned him to his Assistant for that purpose .. .. .. | ii. | 448 |
| Noticed case of robbery, without force, by night, which, instead of being committed to the sessions, might have been disposed of magisterially .. .. .. .. .. .. .. | ii. | 598 |
| A Magistrate directed to report why a case committed for trial on the 27th December was not sent to the Sessions Court until the 2nd February following .. .. .. .. .. .. | iii. | 552 |
| A Deputy Magistrate's conduct in delaying to commit a prisoner highly disapproved.. .. .. .. .. .. .. | iii. | 552 |
| A Magistrate considering too lenient the sentence passed by a Deputy Magistrate, should have annulled the conviction, and committed the prisoner for trial before the Sessions Court .. | iii. | 669 |
| A Magistrate is himself to commit for trial such cases as are indicated in circular No. 471, of the 25th April 1853 .. .. | iv. | 23- 25 |
| Noticed the delay in the committal of a case which, had it been promptly disposed of, would probably have prevented the commission of another very serious offence .. .. .. .. | iv. | 129-130 |
| A prisoner who had killed his wife should have been committed for murder. The committing officer should not have prejudged the case, by committing for the minor offence of culpable homicide. | iv. | 156 |
| A Moonsiff who had doubts in a case of perjury, should not have made the committal, but ought to have sent the case, together with his doubts, to the Magistrate, who would have committed the case or not as it might appear to him right .. .. .. | v. | 598 |
| The preparation and committal of a case of bribery by an officer of the revenue survey could never have been contemplated by the Government, to whom the measure will accordingly be referred. .. .. .. .. .. .. .. .. | v. | 603 |
| A Magistrate should always enter the charges on which he commits a prisoner .. .. .. .. .. .. .. | v. | 702 |
| An Assistant Magistrate ought, when committing a prisoner, to detail the charge on which he is committed, not write 'committed on the charge preferred against him' .. .. .. | vi. | 138 |
| A Civil Surgeon's evidence if necessary in a case to be decided and disposed of finally in the magisterial department should be taken on oath, but the report of that officer is sufficient in cases to be committed to the Sessions Court, because, if necessary, the Session Judge can call on him to give his evidence in regular form.. .. .. .. .. .. .. .. .. | vi. | 235 |
| A Third Assistant Magistrate having sentenced a prisoner for assault, the Magistrate cannot annul the sentence and enhance the punishment; he can only in such a case commit the prisoner for trial .. .. .. .. .. .. .. .. | vi. | 597 |
| Held, as incorrect, a Session Judge discharging, without trial, a prisoner's brothers and uncles who had been committed for trial with him. If required as witnesses, they should have been pardoned, and their evidence taken according to law .. .. | vi. | 793 |
| A prisoner having been committed for trial to the Sessions Court, it was not competent to the Session Judge to transfer him to other authority, or dispose of him, except in due course of law.. | vi. | 794 |
| Perjury is apparent while the witness is deposing, and instantaneous committal is not only ordinarily practicable, but nearly the universal practice, and therefore the form of committal | | |

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| A First Assistant Magistrate should not, in committing a prisoner for trial, record a conviction beforehand .. .. .. .. | viii. | 584 |
| An Assistant Magistrate should not, when committing a prisoner, record he 'finds him guilty,' but should record 'upon the evidence, I commit the prisoner to take his trial before the Session Judge' .. .. .. .. .. .. .. .. | viii. | 670 |
| Noticed that Mr. Nana Morojee was quite correct in committing certain parties for conspiracy, and that no exception ought to have been taken to his commitment. The reprimand administered to that officer by the Session Judge is disapproved and cancelled, and the Session Judge directed to communicate this decision of the Sudder to the Magistrate, for the information of Mr. Nana Morojee.. .. .. .. .. .. .. | iv. | 173 |
| Noticed instance in which there was a sufficiently *primâ facie* case against a prisoner to have warranted, had the evidence been taken with greater care, his committal .. .. .. | iv. | 451 |
| The act of an Assistant Session Judge, in altering the charges on which prisoners were committed for trial by a Magistrate, is illegal .. .. .. .. .. .. .. .. | iv. | 527–528 |
| A prisoner should have been tried on the charges on which he was committed by a Magistrate, or, if these were inapplicable, the Magistrate should have been requested to frame others .. | iv. | 527–528 |
| Noticed the many adjournments and delays in a case, from the incomplete form in which it was handed up by the committing officer .. .. .. .. .. .. .. .. | iv. | 662 |
| Oaths should only be administered to complainants when receiving their complaints, previous to apprehending the party charged; or, on trials, preparatory to committal, the accused being present .. .. .. .. .. .. .. .. | v. | 222 |
| Noticed instance in which a prisoner should have been committed for assault, and not for robbery .. .. .. .. .. | v. | 272 |
| Noticed as irregular the committal to the sessions of parties who, as residents in the state of H. H. the Guicowar, are not liable for the offence charged to the Court's jurisdiction .. .. | v. | 513 |
| A man who held a woman while her husband cut off her nose, should have been committed for, charged with, and convicted of assault .. .. .. .. .. .. .. .. | v. | 574–575 |
| A Moonsiff who had doubts in a case of perjury, should not have made the committal, but ought to have sent the case, together with his doubts, to the Magistrate, who would have committed the case or not, as it might appear to him right .. .. | v. | 598 |
| Given the proper form in which witnesses should be committed by civil courts for perjury .. .. .. .. .. .. | v.<br>vi. | 598<br>842 |
| An Assistant Magistrate should not, in committing a prisoner, record 'the prisoner is *found guilty*, and committed to the sessions for trial' .. .. .. .. .. .. .. | ix. | 71 |
| A Magistrate ought not to have annulled the committal made by his Assistant, even if the regulation quoted was not applicable to the case, for the committal was not illegal, though the prisoner might be innocent, or the charge not tenable .. .. | ix. | 179–180 |
| A Magistrate, when he annulled a sentence, ought, as pointed out to him by the Deputy Magistrate, to have committed the accused for trial at the Sessions .. .. .. .. .. .. | ix. | 196 |
| Noticed, that an Assistant Magistrate, when he commits prisoners, does not, as he should, ask them whether they have any witnesses to call before the Sessions Court, which he is by the regulations bound to do .. .. .. .. .. .. | ix. | 230 |

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| Noticed as surprising, that in a clear case of attempt at murder, a First Assistant Magistrate should have committed the prisoner to take his trial for serious assault only .. .. .. .. | ix. | 437 |
| Noticed a case of robbery, with force, by night, and detaining a person in unlawful confinement, which ought to have been committed to the Sessions, and not left to have been disposed of by a Deputy Magistrate .. .. .. .. .. .. | x. | 80 |
| Noticed as careless the proceedings and committal of a First Assistant Magistrate .. .. .. .. .. .. | x. | 155 |
| **Communication,** | | |
| The communication of information from the record office of the Inam Commissioner having done nor Government nor the Inam Commissioner any injury, it should have been punished departmentally, and not have been made the subject of a criminal charge .. .. .. .. .. .. .. .. | vi. | 219 |
| A Session Judge when trying a prisoner for treason, could receive no communication from Government connected with the trial that he would not place on record .. .. .. .. | viii. | 477–478 |
| Altering a sentence from a long period of hard labour to a shorter of solitary confinement, is a mitigation, not commutation of a sentence .. .. .. .. .. .. .. .. | vi. | 40 |
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| **Comparison,** | | |
| Footsteps traced to where a corpse was found, should have been compared with the feet of the suspected persons, and the result recorded .. .. .. .. .. .. .. .. | ii. | 7 |
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| **Competent,** | | |
| It is a misapprehension of the law to state that children are not competent to testify .. .. .. .. .. .. | iv. | 443 |
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| A complainant's word alone is not sufficient to warrant the conclusion, that he whom he accuses is a person of bad reputation .. .. .. .. .. .. .. .. | i. | 292 |
| The husband of a complainant being the only witness who deposed to his wife's wearing jewels of which others were accused of having robbed her, the evidence of the Patel and another party, who were acquainted with the woman, should have been taken as to these her adornments .. .. .. .. .. | i. | 398 |
| In a case of rape the Police Patel ought to have been examined regarding the complainant's character for chastity .. .. | iii. | 151–152 |
| The deposition of a complainant alone cannot be accepted in its integrity to prove the amount of loss sustained by a robbery .. | iii. | 275 |
| A complainant should have been sworn as to the truth of his charge. | iii. | 457 |
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| Evidence more independent than that of the complainant should have been adduced to show how and under what circumstances a 'Kurarnama' was made use of before the Mahalkurree, and how it found its way before the Sessions Court.. .. .. | iv. | 455–456 |
| Oaths should only be administered to complainants when receiving their complaints, previous to apprehending the party charged; or, on trials, preparatory to committal, the accused being present .. .. .. .. .. .. .. .. | v. | 222 |
| A Magistrate directed to receive and dispose of a case and accusation not as heretofore, in a summary manner, but as he would of any other criminal charge .. .. .. .. .. | v. | 537 |
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| A Magistrate recommended not to waste time by inquiring into cases of bad cotton, unless upon complaint preferred by the parties themselves upon whom fraud has been attempted, or been practised, in respect to cotton .. .. .. .. .. | vi. | 264 |
| A First or Head Karkoon condemned for not allowing parties to enter the Cutcherry who wished to complain to him of the hardship of taxing their fallow fields and failed crops .. .. | v. | 641 |
| A complainant should not have been allowed to put a leading question to a witness .. .. .. .. .. .. | vi. | 757 |
| When complaint of a robbery having been committed is brought before a Police Officer or Magistrate, it is not their duty in the first case to require the complainant to establish that he was ever possessed of the property, as in that case the robbers might escape; but to apprehend the persons supposed to have committed the crime, and if they prove their innocence, or throw suspicion on the complainant, it is then time enough to inquire whether the charge is not utterly groundless .. .. .. | vii. | 63 |
| Noticed in a case of embezzling and felonious theft, that it was not one in which compensation should have been made to the complainant; even if the offence had been proved .. .. | vii. | 806 |
| Noticed in a case of appropriation of property by breach of trust, that as the complainant did not make the charge until so long a time as five months had elapsed, he should have been referred to the civil courts for redress .. .. .. .. .. | x. | 12 |
| A Foujdar is called upon to explain on what grounds, before he had taken the evidence of the complainant, he ordered the prisoner's house to be searched .. .. .. .. .. | x. | 265 |
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| Noticed, that after and consequent upon a trial for perjury, several statements were preferred to the effect that compromises had been permitted and encouraged by the Police in cases even of heinous crime .. .. .. .. .. .. .. | iv. | 740–742 |
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| Held by the Sudder, in the case of a man tried and convicted for ' concealment after the fact,' in having been aware, but failing to give notice to the Police, of the purchase of two girls, that the offence was not penal .. .. .. .. .. .. | ii. | 546 |
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| Concealment of culpable homicide is not provided for in the regulations .. .. .. .. .. .. .. .. | v. | 565 |
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| Noticed the improper conduct of a Tanna Karkoon in taking a note from a prisoner at the time of his apprehension .. .. | ii. | 110 |
| A Deputy Magistrate's conduct in delaying to commit a prisoner is highly disapproved .. .. .. .. .. .. | iii. | 552 |
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| The improper conduct of a Vakeel is brought to the notice of his superior, the Magistrate .. .. .. .. .. | iv. | 463-464 |
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| The conduct of an Assistant Magistrate is noticed as reprehensible and indiscreet .. .. .. .. .. .. .. | v. | 673-677 |
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| A party having, but refusing to adduce before a Deputy Magistrate, statements in defence of his conduct, has himself only to blame for not conforming to the laws .. .. .. .. .. | vi. | 284 |
| A resolution is recorded on the Magistrate of Ahmedabad, a report upon whose conduct is to be made to Government .. .. | vi. | 661 |
| Security taken from a party to abstain from fraud in the fabrication and use of forged documents, and to be of good conduct for one year, was annulled, the case not being one of those contemplated in Section 25 Regulation XII. of 1827 .. .. | vii. | 457 |
| A Session Judge should not have awarded a ticket of good conduct to a Naik, but have brought what he considered exemplary in his conduct to the notice of the Superintendent of Police .. | viii. | 96 |
| A Magistrate having failed to show in his report good reason for demanding security for good conduct from a prisoner, the order for security is annulled .. .. .. .. .. .. | viii. | 113-114 |
| A Moonsiff brings a charge against certain parties of conspiring to injure his character, but instead of showing that his conduct is above suspicion, and the charge a necessarily malicious fabrication, he not only fails to divert his conduct, but adds | | |

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| The confession of a prisoner should have been taken down before, or in the presence of, the attesting witnesses .. .. .. | i. | 10 |
| Noticed that the admissions attributed to a prisoner are not found in the English version of his statement on the record .. .. | i. | 13– 14 |
| Noticed that confessions taken in the Belgaum division have been so frequently repudiated, and the present are so open to suspicion, that an inquiry seems to be imperatively called for .. | i. | 25 |
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| Endeavours should be made to seek not confession from any particular person, but such evidence generally as shall attach the offence incontrovertibly to some person or persons .. .. | i. | 564–565 |
| It is very reprehensible in Police officers not only to induce prisoners to confess, but to seek for confession .. .. .. | i. | 564 |
| Hopes of pardon for the purpose of leading prisoners to confess must not be held out by the Police .. .. .. .. | i. | 564 |
| Evidence independent of confession should be sought for by the Police .. .. .. .. .. .. .. .. | i. | 564 |
| Grave suspicion of the way in which a prisoner's confession was obtained, made one of many grounds for annulling the sentence passed upon him .. .. .. .. .. .. .. | i. | 600 |
| Noticed instance in which the confessions of the prisoners were recorded before they were proved.. .. .. .. .. | i. | 648 |
| The prisoner's confessions not having been proved, should not have been recorded .. .. .. .. .. .. | i. | 660 |
| A confession made before the Sessions Court did not require two or any witnesses for its authentication in that same court .. | ii. | 31 |
| Observed to a Session Judge that a prisoner's confession should have been proved .. .. .. .. .. .. .. | ii. | 122 |
| Rumours as to bad character are no evidence of a particular act, and add no corroboration to a confession .. .. .. | ii. | 324 |
| Retracted confessions are held insufficient to justify convictions, particularly as the confessions were made on the 18th February, and not sent to the Deputy Magistrate until the 2nd April! .. | ii. | 434 |
| Noticed instance in which the Police authorities ought to have tested the truth of the prisoner's confessions .. .. .. | ii. | 517 |
| Noticed instance in which the proceedings were incomplete and conviction illegal, because, on recording an additional plea of guilty, the evidence was not read over and the admissions it contained duly confirmed.. .. .. .. .. .. | ii. | 545–546 |
| Noticed instance in which the confession, containing exculpatory matter, the truth of the prisoner's defence should have been inquired into .. .. .. .. .. .. .. .. | ii. | 736 |
| A prisoner's confession ought to have been proved before recorded. | iii. | 261 |
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| A prisoner having admitted his statement, confessing his knowledge of the robbery before the Sessions Court, the Session Judge should have assigned more distinct reasons for acquitting him.. | iii. | 479 |

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| A Session Judge reminded that the substance of retracted confessions should be entered in his English record .. .. .. | iii. | 717 |
| A party refusing to sign the confession of a prisoner at the requisition of the District Police Officer, who is empowered to require it, was properly punished with a fine .. .. .. .. | iii. | 728 |
| Noticed instance in which the confession of one of the prisoners should have been proved before it was received, and that it should have been recorded for the prosecution and not for the defence . | iv. | 99 |
| The confession of a prisoner should have been set forth in the proceedings, and the record should have shown what depositions were read over to the prisoner, and that he confirmed his plea after hearing them.. .. .. .. .. .. .. | iv. | 181 |
| The Sudder do not concur with the remarks recorded in a Sessions Court as to the advisability of encouraging confessions.. .. | iv. | 213-214 |
| A retracted confession proved to have been voluntarily given is evidence for the prosecution, and should not have been recorded for the defence .. .. .. .. .. .. .. | iv. | 225 |
| Noticed the very reprehensible and improper conduct of a 'Rukwuldar,' who admitted having sworn to a prisoner no harm should come to him if he confessed and produced the property, and then went and denounced him .. .. .. .. .. | iv. | 409 |
| Attention called to Clause 1 Section 37 Regulation XIII. of 1827, which requires the second attesting witness to the admission of a prisoner before the Foujdar to be sent up with the case to the Sessions Court .. .. .. .. .. .. .. | iv. | 601 |
| Noticed of authority in a party who, while officiating as District Police Officer, ordered two Policemen to torture a woman to extort confession .. .. .. .. .. .. .. | iv. | 665-681 |
| Evidence of the facts attendant on, and succeeding a robbery, should have been taken and recorded, instead of reliance being wholly placed upon that of the confessions and their attestors. | iv. | 786 |
| It is a more correct practice to prove the confession by independent testimony, than to rely upon their being admitted without any further proof .. .. .. .. .. .. .. | v. | 31- 32 |
| Noticed the ill-treatment of a woman by the Police to extort confession, and the utter disregard of a Foujdar to her cries and entreaties .. .. .. .. .. .. .. .. | v. | 35- 38 |
| Noticed instance in which, by recording the statement of a prisoner on his admission merely, instead of proving it, the case had to be returned for correction, and the prisoner was thus kept confined for three months under a sentence of death which, until the case was complete, the Court could not confirm .. | vi. | 63 |
| Noticed, that on the full and voluntary confession of a prisoner, the Session Judge should have followed the course laid down in Clause 2 Section 37 Regulation XIII. of 1827, and have dispensed with taking further evidence .. .. .. .. | v. | 115 |
| It requires great care, when recording pleas of guilty, to see that the prisoner admitting the facts is aware of and admits the legal consequences, and that he takes them all upon himself.. .. | v. | 178-179 |
| A prisoner's statement should not have been taken as corroborative of the confession of his comrade .. .. .. .. | v. | 288 |
| The confession of a prisoner should not be read over to him, and the prisoner asked if he admit it; but the confession should be proved without asking the prisoner any questions .. .. | v. | 303 |
| Confessions are not proved by the witnesses saying that they heard the statement read over to the prisoner, and that he admitted it, but the witnesses must be present at the time the statement is made, and having seen it taken down in writing, must attest it, and be able to declare the statement shown to them to be the one they heard given .. .. .. .. .. .. | v. | 315 |

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| A prisoner's confession in the court in which he is tried is only sufficient for his conviction if he confirm the same after hearing read so much of the evidence as, if admitted to be true, would prove the charge against him .. .. .. .. .. | v. | 475 |
| It is clearly illegal to convict a prisoner on his plea of guilty which he retracts after hearing certain evidence read over. A Session Judge ought then to enter a plea of not guilty, and commence the trial *de novo* .. .. .. .. .. | v. | 475 |
| The conviction and sentence of a prisoner are annulled, as resting solely on their own confessions and the evidence against, which is part and parcel of their confessions .. .. .. .. | v. | 558–560 |
| Noticed abuse of authority by a Police officer, and two others of the Police in torturing prisoners to extort confession .. .. | v. | 720–726 |
| Noticed instance in which prisoner's confession should have been proved before the Session Judge and recorded for the prosecution.. .. .. .. .. .. .. .. .. | v. | 782 |
| When a prisoner retracts his confession, the Court must have more evidence for conviction than mere proof that the prisoner told the story which constitutes his confession .. .. .. | vi. | 75 |
| A prisoner's confession should not have been read before it was proved .. .. .. .. .. .. .. .. | vi. | 138 |
| When attesting witnesses fail to prove a confession, the Karkoon who wrote it, or the officer before whom it was given, should be examined as witnesses .. .. .. .. .. .. | vi. | 279 |
| The conviction and sentence in a case of murder are annulled, no evidence appearing against the prisoners but their bold confessions, which, from the very first time they appeared before European authority, they stoutly denied.. .. .. .. | vi. | 345–347 |
| A prisoner's confession should not be read until after it is proved. | vi. | 405 |
| Noticed instance in which, except a prisoner's confession and plea of guilty, there is no proof against her whatever, and that, had she pleaded not guilty and denied her confessions, she must have been acquitted .. .. .. .. .. .. | vi. | 408 |
| Prisoners admitting the truth of what they had read over to them is not sufficient to prove a confession, but in proving confessions it should be ascertained that these, as written down, are what the prisoners dictated .. .. .. .. .. | vi. | 412 |
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| Noticed case in which, while the District Police Officer is in the village, the Patel and Police peons are sent to question prisoners and take their confessions, a duty which the District Police Officer should have himself performed .. .. .. | vii. | 778 |
| A Session Judge should watch attentively and see that no improper influence nor means are used to obtain confessions; and if he find that any have been used, he should reject the confession and all that resulted from it.. .. .. .. .. | vii. | 778–779 |
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| Clause 2 Section 37 Regulation XIII. of 1827 lays down that confession before the trying authority is sufficient for conviction | viii. | 585 |

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| A prisoner professing not to remember his confession made before the Foujdar, subsequently, of his own free will, admitted before the Court having wounded his wife with intent to kill her, being under the influence of liquor at the time. In such a case a plea of not guilty should have been recorded .. .. | ix. | 71 |
| Noticed instance in which it was not necessary to record the translation of a confession made by another prisoner in another trial, as nothing in the present case was involved in that confession, and all that it was required to prove, was that the attestation of the prisoner under trial was affixed to it .. .. .. | ix. | 205 |
| Noticed instance in which an Assistant Magistrate proves the confessions as evidence for the prosecution, but records them for the defence. He ought to have recorded them as soon as he had proved them, and have put the prisoners on their defence afterwards .. .. .. .. .. .. .. .. | ix. | 472 |
| Noticed instance in which, as a prisoner pleaded guilty and confirmed his confession after having had the evidence read over to him, there was no necessity for recording a fresh plea and recommencing the trial .. .. .. .. .. .. | ix. | 502 |
| The law requires that no more weight shall be given to admissions of guilt than evidence before the Court in support of them shall warrant .. .. .. .. .. .. .. .. | ix. | 508 |
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| When a Magistrate's power to confine a daring offender is about to lapse, he should apply to the Court for authority to detain him in jail for a further period if he should then consider it necessary. | vi. | 35 |
| Detaining persons in unlawful confinement by force, Dewjee wulud Venkoo .. .. .. .. .. .. | ix. | 585-591 |
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| The record should have shown what depositions were read over to a prisoner, and that he confirmed his plea .. .. .. | iv. | 181 |
| The confirmation by a Magistrate of a sentence of corporal punishment, which the Deputy Magistrate, not having the full powers of a Magistrate, has not power to award, is illegal .. .. | vi. | 196 |
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| Conspiracy; forgery and making fraudulent use of a forged document, knowing it to be forged, | | |
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| Attempt at Conspiracy, | | |
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| Noticed that a case of conspiracy against the Thakore of Sanund, should have been heard by the Session Judge himself .. .. | i. | 242 |
| In a case in which a party was charged with perjury, conspiracy would have been a more appropriate charge .. .. .. | i. | 492 |
| Noticed that a charge termed 'offence against religious law,' should have been entitled conspiracy .. .. .. .. | i. | 557–559 |
| Suggested to the Magistrate of Poona whether, with reference to the return of the Session Judge of the Konkun, certain parties should not be prosecuted for conspiracy and perjury .. .. | ii. | 154 |
| Observed that in place of 'for abuse of authority, extortion, and receiving a present,' the prisoners should have been tried on a charge of 'conspiracy' which would have included all prisoners in one offence .. .. .. .. .. .. .. | ii. | 222 |
| In a case of conspiracy the charge should have set out the overt acts attributed to each prisoner .. .. .. .. .. | iii. | 375 |
| The crime of conspiracy cannot be committed by a single individual, and there can be no such thing as an 'attempt' to commit it, for the attempt would constitute the crime itself .. | iii. | 557 |

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| The offence of conspiracy implies the combination of two or more to effect an illegal object .. .. .. .. .. .. | iii. | 558 |
| Noticed instance in which four sepoys of the Ahmednuggur Police force are convicted of conspiracy with one of a gang of robbers to implicate innocent persons in that crime by placing in their houses articles stolen on the occasion, and pretending to find them there .. .. .. .. .. .. .. .. | iii. | 595 |
| The object of conspiracy in three trials for that crime should not have been set forth as against prisoners, but as intended to pervert the course of public justice, the public wrong involved being of more weight than the injury to individuals .. .. .. | iii. | 603 |
| Noticed instance in which parties charged with forgery should have been charged with conspiracy .. .. .. .. | iii. | 739 |
| As, in a trial for conspiracy, a charge of extortion should have formed the subject of a separate case, so an extract from the proceedings of the trial is to be sent to the Deputy Magistrate, with directions to hand up the prisoners for trial on a separate charge .. .. .. .. .. .. .. .. | iii. | 890 |
| Noticed in a case of conspiracy, that the evidence against the prisoner is Police evidence, in support of a Police prosecution to clear the character of a Police Karkoon, the accusation of the prisoners against whom had been dismissed without being inquired into and disposed of by the Magistrate .. .. | iv. | 7– 11 |
| Noticed that a case of bribery against a Police Karkoon, which should have been inquired into and disposed of by the Magistrate, was dismissed, and the prisoners who accused and supported the accusation against the writer, have now been prosecuted for conspiracy .. .. .. .. .. .. .. .. | iv. | 8– 11 |
| The acquittal of the prisoners in a case of conspiracy will, it is feared, prevent the proceedings being re-opened, and give rise to false impressions and occasion untoward results .. .. .. | iv. | 173 |
| Noticed instance in which the Deputy Magistrate, Mr. Nana Morojee, was quite correct in committing certain parties for conspiracy. | iv. | 173 |
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| Noticed the unnecessary delays in a trial for conspiracy.. .. | iv. | 712 |
| A Magistrate requested to call upon the Superintendent of Police to explain his proceedings and the orders he gave a witness in a case of conspiracy .. .. .. .. .. .. | iv. | 738 |
| It requires great care when recording pleas of guilty to see that the prisoner admitting the fact is aware of and admits the legal consequences, and that he takes them all upon himself.. .. | v. | 178–179 |
| The precipitancy of an individual having led him into a dilemma which, had he waited as his suspicions should have led him to have done, would not have happened, induced the Court to reduce the sentence on those who had conspired against him to a fine of one Rupee, or imprisonment for one month .. | v. | 442–444 |
| Noticed, on a trial for conspiracy, that the confession made by a prisoner before the Assistant Magistrate should have been proved before the Session Judge, and recorded for the prosecution .. | v. | 782 |
| Noticed in a case of conspiracy, that the conviction of a prisoner ought to have been obtained .. .. .. .. .. | vi. | 13 |
| British subjects conspiring in foreign territory might be tried in that territory, but not for forgery and tampering with books committed in British jurisdiction.. .. .. .. .. | vi. | 371–373 |

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| Noticed in a trial for conspiracy, forgery, and making fraudulent use of a forged document, that the charges of forgery should not have been brought forward. The main charge of conspiracy included the whole, and the Session Judge should have elected on which charge to try the prisoners .. .. | vi. | 569 |
| Conspiracy and perjury should be punished directly as such under the regulations, and not indirectly by demanding excessive security and declaring forfeitures .. .. .. .. .. | vii. | 42 |
| A Moonsiff preferring a complaint against others of conspiring to ruin his character, should have shown, on coming into court, that his character was above suspicion, and that there were no grounds for the charge; or that the charge itself must have been the result of conspiracy; or else that the evidence tendered in support of the charge was prepared by the prisoner with the object of injuring him .. .. .. .. .. | viii. | 640 |
| As in a case of conspiracy the prisoners were not convicted of any of the offences detailed in Act XVI. of 1850, so the application of that Act to the case was improper, and the order under the Act is annulled.. .. .. .. .. .. | ix. | 93 |
| Noticed that perhaps under the spirit of circular order No. 417, a trial for conspiracy might have been properly delayed till the judgment of the Collector on appeal had been delivered .. .. .. .. .. .. .. | x. | 47 |
| Noticed in a case of conspiracy certain exhibits which, being of no use, should not have been recorded .. .. .. .. | ix. | 173 |
| A Session Judge requested to explain why, in a trial for conspiracy before him, the assessors were not sworn .. .. .. | ix. | 173 |
| Held, in a case of conspiracy that, considering the time and circumstances under which the petition, which forms the subject of the charge of conspiracy, was presented, that it contains a direct promise if the prayer be granted, and implied threat if it be denied, the conviction for that crime is good .. .. .. | ix. | 481 |
| Noticed the great care, zeal, and ability displayed by Adam Vital Sudashew Bidè the Mamlutdar of Sooverndroog, in the original inquiry into a case of conspiracy .. .. .. .. .. | x. | 47 |
| Petition of Pandoorung Mashew, praying that the Magistrate may be allowed to frame charges against certain parties for conspiracy, that officer having refused to do so .. .. .. .. | x. | 290–294 |
| Noticed in a case of conspiracy, that the prisoners should not have been convicted on the evidence recorded .. .. .. | x. | 558 |
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| Contempt of the lawful authority of the Police, Abeechund Makunjee .. .. .. .. .. .. | i. | 298–299 |
| A Deputy Magistrate's order, fining a party for contempt in the course of a criminal trial, is not a criminal case disposed of, nor one to be entered in the criminal returns.. .. .. .. | ii. | 20 |
| Of Court, Bhowanee Shunker Doolubram.. .. .. .. .. | iii. | 335–340 |
| A Magistrate failing to show that a party fined for contempt of Court under Act XXX. of 1845, made use of menacing gestures or expressions in the presence of the presiding officer, the fine is directed to be restored .. .. .. .. .. .. | iii. | 340 |
| **Contradictions,** | | |
| A Session Judge is not authorised by law to fine a witness for contradictions in depositions .. .. .. .. .. | iii. | 717 |
| **Conversation,** | | |
| Noticed that a Session Judge conversing with and (beyond asking whether a prisoner is guilty or not guilty) himself examining a prisoner, is objectionable .. .. .. .. .. .. | ii. | 549 |

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| Noticed case in which a Session Judge, by his conversing with, and method of examining, a prisoner, gave colour to the accusation brought against him by the prisoner of having threatened and compelled him through fear to retract his prior plea of not guilty .. .. .. .. .. | ii. | 547–548 |
| A Session Judge is referred to vol. ii. page 548 of Morris's report for the Court's opinion of the impropriety of a Judge conversing with and questioning prisoners on trial .. .. .. .. | iv. | 681 |
| Convict, | | |
| It rests with the officer in charge of the jail to see that the labour (hard labour) in which the convicts are employed, is only such as befits their age and sex .. .. .. .. .. | i. | 289 |
| Directed, on a reference regarding the disposal of the warrant for the sentence of a convict who, having escaped from the subsidiary jail at Waghotun, had not been re-captured, that it should be returned to the Session Judge, with instructions to have it retained at Rutnagherry until the Assistant Session Judge could report its execution in full.. .. .. .. .. .. | iii. | 130–131 |
| The petition of a party praying order to be allowed to visit his brother, a convict in the jail at Poona, is referred to the Session Judge .. .. .. .. .. .. .. .. | iii. | 553–554 |
| The Court, seeing no reason why a convict should not be allowed to petition the court, direct permission shall be accorded him to do so. | iii. | 566–567 |
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| The identity of the prisoner with the convict named in the warrant should have been proved .. .. .. .. .. .. | iv. | 168–169 |
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| A convict when led to execution, should be clothed in the ordinary dress of convicts of his class in jail .. .. .. .. | vii. | 9 |
| Six months of the sentence of imprisonment of a prisoner is remitted by Government for his admirable behaviour in a murderous attack made by certain Chinese convicts on the Deputy Jailor of the Nuggur Jail .. .. .. .. | vii. | 345–346 |
| The Court object to commute to imprisonment, without labour, the punishment of a female convict, who, though getting old, is in good health .. .. .. .. .. .. .. .. | vii. | 383 |
| Noticed instance in which the death of a convict was not, as it should have been immediately, reported by the Nazir .. .. | vii. | 557 |
| The Magistrate ought to give a copy of the sentence or order to every convict or petitioner, as without that an appeal cannot be received .. .. .. .. .. .. .. .. | viii. | 178 |
| A convict (is) permitted to sign a 'Vakulutnama'.. .. .. | x. | 474 |
| Though a convict may have petitioned the Sudder before, he is not to be prevented signing a 'Vakalutnama' to be filed in that court .. .. .. .. .. .. .. .. | x. | 475 |
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| Conviction, | | |
| The conviction and sentence in a case of child-stealing are annulled, on the ground that the offence was not within the meaning of the regulation.. .. .. .. .. .. | i. | 34– 38 |
| The conviction of a Deputy Magistrate, though confirmed by the Magistrate, could not be upheld from the proceedings being vitiated by the mode in which they were conducted .. .. | i. | 43 |
| A Session Judge ought to have recorded more fully his reasons for dissenting from the conviction of a prisoner, and that those he had adduced did not meet the case in any way .. .. .. | i. | 105–106 |
| The conviction and sentence in a case of resistance to legal process, attended with assault, are recommended to the Magistrate to be made as public as possible .. .. .. .. | i. | 142 |

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| It is not the practice of the prosecution to impart into a case any allusion to a former conviction .. .. .. .. .. | i. | 192 |
| The former character of a prisoner ought not to be adverted to before recording the verdict .. .. .. .. .. | i. | 192 |
| After verdict, character may be proved as a cause for augmenting punishment, but never before it, as an apparent substitute for evidence .. .. .. .. .. .. .. .. | i. | 192 |
| The conviction and sentence against a Police Patel for neglect of duty annulled, on the ground of neglect or connivance not having been proved against him .. .. .. .. .. | i. | 252 |
| The conviction and sentence in a case of contempt of the lawful authority of the Court annulled, on the ground of the charge not coming within the provisions of the regulation cited .. | i. | 299 |
| The evidence of the accomplices, being after conviction and sentence, is good evidence.. .. .. .. .. .. | i. | 481 |
| 'Confession when obtained frequently leads the Police to seek for nothing more, and then, when the confession is retracted, there is no evidence for conviction .. .. .. .. .. | i. | 564 |
| The trial by a Deputy Magistrate of a subordinate having been disapproved by the Magistrate, he should have annulled the conviction, and himself have committed the case to the Sessions Court .. .. .. .. .. .. .. .. | ii. | 61 |
| The conviction of a prisoner is annulled, because of his having been previously convicted of, and sentenced for, the very same offence .. .. .. .. .. .. .. .. | ii. | 61 |
| The finding of a Session Judge recorded as expressing not his own conviction, but the opinion of the assessors, is illegal and annulled .. .. .. .. .. .. .. .. | ii. | 85 |
| On proceeding to convict a prisoner, the Session Judge should recapitulate the charge on which he is finding the prisoner guilty .. .. .. .. .. .. .. .. | ii. | 117 |
| A prisoner once arraigned cannot be discharged without an acquittal or conviction .. .. .. .. .. .. | ii. | 136 |
| Noticed instance in which, on a trial for 'robbery, with force, by night,' the prisoner should have been convicted of robbery with force.. .. .. .. .. .. .. .. .. | ii. | 136 |
| When a Government servant appealing against a conviction employs English counsel, the Advocate General should be called on to support the conviction .. .. .. .. .. | ii. | 154 |
| A prisoner once committed cannot be discharged without an acquittal or conviction being recorded .. .. .. .. | ii. | 424 |
| Protracted confessions held insufficient to justify conviction, particularly as the confessions were made on the 18th February, and not sent to the Deputy Magistrate until the 2nd April! .. | ii. | 434 |
| In annulling a Deputy Magistrate's conviction, the Magistrate should have committed the prisoners himself, and not have returned the case to an Assistant for that purpose .. .. | ii. | 448 |
| A prisoner who might, under Clause 2 Section 37 Regulation XIV. of 1827, have been convicted of 'robbery' as charged, ought not to have been convicted of 'receiving stolen property,' without having been tried upon that charge .. .. .. .. | ii. | 511 |
| Noticed instance in which the proceedings were incomplete and conviction illegal, because, on recording an additional plea of guilty, the evidence was not read over, and the admissions it contained duly confirmed .. .. .. .. .. .. | ii. | 545–546 |
| Noticed in a case of culpable homicide, that a Judge was wrong in convicting the prisoners merely of serious assault, for the result of that assault was hernia, which caused death, and the question was not, what was the after conduct of the deceased in refusing to submit to a surgical operation, which might, in the opinion of | | |

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| the Civil Surgeon, have saved his life, but the question was, whether an injury, calculated to produce death, had been caused or not, and that, being found in the affirmative, the conviction should have been culpable homicide, and a more adequate punishment awarded .. .. .. .. .. .. | iii. | 227 |
| Noticed instance in which a prisoner convicted of culpable homicide might properly have been convicted of murder .. .. | iii. | 289 |
| A Session Judge, considering the conviction and a sentence of a Magistrate should, on the ground of want of evidence, be annulled, forwards the papers and proceedings for the final orders of the Sudder Court who, concurring with the Session Judge, annul the conviction and the sentence .. .. .. .. | iii. | 465–466 |
| Three wholesale dealers convicted of, and sentenced for, using false weights in purchasing tobacco were by the Sudder Court acquitted, because the law under which they were tried applies to persons dealing in retail .. .. .. .. .. | iii. | 471 |
| Noticed instance in which a Deputy Magistrate should have convicted prisoners tried for robbery, &c., of robbery, with force. .. .. .. .. .. .. .. .. | iii. | 428 |
| Allusions to the past career of a prisoner are quite out of place before conviction .. .. .. .. .. .. .. | iii. | 614 |
| A Magistrate considering too lenient the sentence passed by a Deputy Magistrate, should have annulled the conviction, and committed the prisoner for trial before the Sessions Court .. | iii. | 669 |
| Noticed as an impropriety of procedure, that, on a prisoner pleading guilty, the Court, without recording a conviction, adjourned the case to deliberate upon the sentence .. .. .. .. | ii. | 614–615 |
| Noticed instance in which, on the evidence recorded, the prisoners should have been found guilty of murder, the case being one in which the law, that a party must be held to intend the consequence of his act, most clearly applied .. .. .. .. | ii. | 648 |
| Noticed instance in which a Session Judge entertaining certain views, should have referred the case; but it was not correct in him to reduce, without reasonable cause, an offence below the character it actually bore, and usurp, as it were, the office of the executive in mitigating punishment .. .. .. .. | ii. | 648–649 |
| A conviction is annulled, because based wholly and solely on the proceedings of another case, which is not evidence .. .. | ii. | 674 |
| The conviction of a party for attempting to pass off 'ornaments of base metal for silver ones' is annulled, the accused not coming within the scope of the regulations under which he was tried.. .. .. .. .. .. .. .. .. | ii. | 687 |
| Noticed in a case of robbery and receiving stolen property, that the conviction should have been on the first count .. .. | ii. | 739 |
| The evidence against a prisoner convicted by the Sessions Court of murder being wholly circumstantial and presumptive, held by the Sudder insufficient for conviction .. .. .. .. | iii. | 141–149 |
| The conviction and sentence of a Session Judge annulled, and the fine to be restored to the prisoner, a peon, who should not suffer further in any respect for the neglect of duty with which he has been charged .. .. .. .. .. .. | iii. | 202 |
| The conviction and sentence of a Session Judge annulled, the trial being too faulty to make it safe to rely upon the record .. | iii. | 213 |
| Noticed instance in which conviction could not be upheld on the unsupported testimony of a woman who had admitted having accused another prisoner falsely because she thought it would be pleasing to the Police .. .. .. .. .. .. | iii. | 834 |
| A Session Judge assigns no reason for confirming a sentence; for upholding which and the conviction there being no sufficient ground, they are by the Sudder Court annulled .. .. | iii. | 840 |

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| The conviction and sentence of a prisoner tried for perjury are annulled, the Court considering there was not sufficient independent proof of the alleged perjury to produce an opposite statement of the accused party also given on oath .. .. .. | iii. | 873 |
| The conviction and sentence in a case of conspiracy are annulled as resting wholly upon the doubtful interested and malicious evidence of the Police .. .. .. .. .. .. | i. | 7-11 |
| The conviction and sentence of a prisoner for fraud are annulled and he remanded, that a charge of forgery may be preferred against him.. .. .. .. .. .. .. .. | iv. | 20 |
| The convictions of, and fines imposed on, certain parties under Act XXI. of 1841 are disapproved, as no previous injunction had, in accordance with the requirements of that Act, been served upon them .. .. .. .. .. .. .. | iv. | 43- 44 |
| The evidence against a prisoner resting solely upon his identification, after the lapse of from seven to eight years, by parties who now depose to having distinctly recognised him who they never at the time accused, is held by the Court insufficient to enable them to confirm his conviction .. .. .. .. | iv. | 75- 76 |
| A Deputy Magistrate's remarks on the bad character of a prisoner are not supported by its being shown that he has been before convicted .. .. .. .. .. .. .. .. | iv. | 81- 82 |
| Noticed that an Assistant Session Judge ought to have recorded his conviction against the prisoner before taking evidence as to his former convictions .. .. .. .. .. .. | iv. | 167 |
| Proof of former conviction ought to be recorded after present conviction, with a view to measure and enhance the punishment .. .. .. .. .. .. .. .. | iv. | 235 |
| Proof of conviction of one offence is not to be given as evidence to prove another .. .. .. .. .. .. .. | iv. | 235 |
| A Session Judge, on all occasions of referring to the Sudder Court for opinion with respect to the propriety of the conviction and sentence of a prisoner by the Magistrate, should be careful to show that the Magistrate does not approve of, nor is authorised to carry out, the amendment suggested by the Session Judge .. | iv. | 366 |
| The former character of a prisoner ought not to be adverted to on a trial before conviction .. .. .. .. .. .. | iv. | 383 |
| Ditto ditto ditto .. .. | iv. | 853 |
| An Assistant Magistrate should have recorded the warrants of a prisoner's former convictions .. .. .. .. .. | iv. | 491 |
| An Acting Magistrate is fully competent to annul a Deputy Magistrate's conviction, and order his proceedings to be taken afresh .. .. .. .. .. .. .. .. | iv. | 531 |
| Subsequent inquiry and conviction on a charge previously tried and disposed of by a Third Assistant Magistrate in whose finding the Magistrate had concurred, were illegal .. .. .. | iv. | 551 |
| An Assistant Session Judge should have refrained, in summing up, from any allusion to a prisoner's past offences, whereas he improperly assigns them as one of the reasons for conviction .. | iv. | 588 |
| The conviction by an Assistant Magistrate of two persons charged with the infringement of the provisions of Act II. of 1845, regarding the press, is by the Sudder Court upheld .. .. | iv. | 815 |
| Former character ought not to be adverted to as evidence for the prosecution.. .. .. .. .. .. .. .. | iv. | 853 |
| Noticed instance in which a charge should have been so investigated and proceeded with as to secure conviction .. .. | iv. | 852-853 |
| A former conviction ought not to have been recorded for the prosecution.. .. .. .. .. .. .. .. | iv. | 853 |
| The offence of which a prisoner was convicted not being that for which he was arraigned, is annulled .. .. .. .. | iv. | 968 |

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| The offence of which a prisoner was convicted not being that for which he was arraigned, and as the specific perjury must be proved before he can be found guilty of subornation, the conviction for subornation is annulled .. .. .. .. | iv. | 968 |
| The conviction, under Regulation XIV. of 1831, of four Patels charged with embezzlement in the appropriation of Government revenue, is annulled, that regulation not applying to their offence .. .. .. .. .. .. .. .. | v. | 5- 9 |
| The regulation under which punishment is awarded should be quoted in the record of the conviction and sentence .. .. | v. | 6 |
| The copy of a warrant showing the former conviction of a prisoner, should be proved by a competent witness from the dufter or record office before it is recorded.. .. .. .. .. | v. | 64 |
| A prisoner convicted of a charge incorrectly framed, and of which he was not, as the charge was worded, guilty, was remanded; and the Session Judge directed to try the prisoner on a correct charge .. .. .. .. .. .. .. .. | v. | 181 |
| A prisoner convicted of culpable homicide upon the evidence only of what a child of ten years old had told her mother of his assault upon her, is by the Suddur Court acquitted .. .. | v. | 208 |
| Noticed instance in which more exactness should have been observed before the prisoner was charged with, convicted of, and sentenced for perjury.. .. .. .. .. .. | v. | 266-267 |
| Noticed instance in which a finding of culpable homicide is erroneous, and on no grounds could conviction in the case be recorded for a less crime than murder .. .. .. .. | v. | 316 |
| A reward offered for the mere apprehension of a person a Magistrate should disburse; but a reward offered for apprehension and conviction, a Session Judge would, on the fulfilment of the terms, adjudge .. .. .. .. .. .. .. | v. | 316 |
| A Session Judge and Deputy Magistrate are called upon to explain, the one how he came to prepare, and the other how he came to try and to convict upon a charge of perjury, which has no foundation whatever upon the deposition of the prisoner .. | v. | 460 |
| A prisoner's confession in the Court in which he is tried is only sufficient for his conviction if he confirm the same after hearing read so much evidence as, if admitted to be true, would prove the charge against him .. .. .. .. .. .. | v. | 475 |
| It is clearly illegal to convict a prisoner on his plea of guilty which he retracts on hearing the evidence read over. A Session Judge ought then to enter a plea of *not guilty* and to commence the trial *de novo* .. .. .. .. .. .. .. | v. | 475 |
| Statements as to general character should be taken after conviction in aggravation of punishment, not as evidence to prove the charge .. .. .. .. .. .. .. .. | v. | 542 |
| The conviction and sentence of a prisoner charged with issuing money, knowing it to be base and unlawfully coined, are annulled, the giver and receiver clearly showing that the square piece of silver bullion proffered and received was not regarded, nor intended to form, a part of the currency of India, but was lodged as a deposit to be resumed on payment of rupees .. .. | v. | 552 |
| The conviction and sentence of four prisoners are annulled, as resting solely on their own confessions and the evidence against them, which is part and parcel of those confessions .. .. | v. | 558-560 |
| A man who held a woman while her husband cut off her nose, should have been charged with, committed for, and convicted of, the assault .. .. .. .. .. .. .. | v. | 574-575 |
| Noticed instance in which a Magistrate could never have read the Act under which he tried a prisoner, whose conviction and sentence are annulled as illegal .. .. .. .. .. | v. | 680 |

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| Noticed in a case of conspiracy, that the conviction of a prisoner who was acquitted might have been obtained .. .. .. | vi. | 13 |
| When a prisoner retracts his confession, the Court must have more evidence for conviction than mere proof that the prisoner told the story which constitutes his confession .. .. .. | vi. | 75 |
| Prisoners seeking out a person for the purpose of assailing him and killing him in the course of that assault, should have been convicted of murder and of aiding in murder, in place of culpable homicide .. .. .. .. .. .. .. | vi. | 180 |
| The conviction of a goldsmith for fraud as a Native officer, is annulled, he not being considered in his position of village goldsmith amenable to the provisions of Chapter 2 Regulation XVI. of 1827, and Section 3 Regulation V. of 1833, under which he was tried.. .. .. .. .. .. .. | vi. | 183 |
| The conviction of a prisoner for perjury will not stand. He corrected what he had stated falsely the same day, but his original statement and his retraction are both separately charged as perjuries .. .. .. .. .. .. .. .. | vi. | 316 |
| The conviction and sentence in a case of murder are annulled, no evidence appearing against the prisoners, but their bold confessions which, from the very first time they appeared before European authority, they stoutly denied.. .. .. .. | vi. | 345–347 |
| A mother, convicted of perjury uttered to defend her son, is adjudged a mitigated sentence of ten days' imprisonment .. .. | vi. | 537 |
| A prisoner's statement might not appear probable, but if it be possible, and there be nothing to show it is not, it is not safe to convict .. .. .. .. .. .. .. .. | vi. | 676–677 |
| The sentence of a person held wrongly convicted of fraud is annulled, and the fine to be returned .. .. .. .. | vii. | 26 |
| Noticed instance in which a prisoner convicted of 'receiving stolen property' ought to have been convicted of the robbery.. .. | vii. | 207 |
| A Magistrate alone has power to convict and punish under Act XVII. of 1854 (the Post Office Act), and though the punishment which may be awarded under this Act exceeds that which a Magistrate is empowered to inflict in other cases, yet in those to which the Act refers he can award punishment to the extent laid down in the 54th Section of the Act .. .. .. | vii. | 237–238 |
| A retracted confession is not alone sufficient evidence for conviction. | vii. | 654 |
| Government inform the Sudder of their having addressed the Commissioner of Police on the subject of the dismissal of certain Policemen convicted of assault .. .. .. .. .. | vii. | 755 |
| A Punchayet having been appointed to report on certain boundaries, their opinion ought, but for some strong reasons, to have had more force than the uncertain testimony of neighbouring cultivators, and as upon the testimony of the latter, in opposition to that of the former, a party has been convicted of and sentenced for fraud, the conviction and sentence are by the Sudder Court annulled .. .. .. .. .. .. | viii. | 7 |
| Government agreeing with the Commissioner of Police, direct the immediate release of a Policeman convicted and sentenced for culpable homicide, and who the Government consider merited reward rather than punishment .. .. .. .. .. | viii. | 16 |
| Noticed that a Session Judge throughout his finding, and when recording his conviction and even when passing sentence, omits to mention the prisoner's name, and alludes to him only as the prisoner .. .. .. .. .. .. .. .. | viii. | 40 |
| Noticed an Acting Session Judge's acquittal of a prisoner who had been rightly convicted by his Assistant .. .. .. | viii. | 287 |
| A First Assistant Magistrate is to be instructed that, when he commits a prisoner, he should not record a conviction .. .. | viii. | 584 |

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| Clause 2 Section 37 Regulation XIII. of 1827 lays down that confession before the trying authority is sufficient for conviction. | viii. | 585 |
| Noticed instance in which a prisoner charged, tried, and convicted under one name, is sentenced under another .. .. .. | viii. | 651 |
| Noticed a Magistrate's omission to record in English, and his not recording distinctly in Murathee, the conviction and sentence of a prisoner .. .. .. .. .. .. .. .. | viii. | 687 |
| As in a case of conspiracy the prisoners were not convicted of any of the offences detailed in Act XVI. of 1850, so the application of that Act to the case was improper, and the order under the Act is annulled .. .. .. .. .. .. .. | ix. | 93 |
| Noticed instance in which an exhibit ought to have been recorded after conviction, if recorded at all.. .. .. .. .. | ix. | 183 |
| The conviction of a prisoner by the Session Judge of concealment of *attempt* at murder after the fact is by the Sudder Court amended, and the prisoner convicted of concealment of murder after the fact .. .. .. .. .. .. .. | ix. | 422–423 |
| A conviction of unlawful attempt to render the law nugatory, by an exclamation supposed to convey a threat, is annulled, the Court holding that the tendency of the words could not be to divert the course of justice, unless it was conceded that the Magistrate was likely to be influenced by such an exclamation which is not apparent, nor apparent that the prisoner thought the words he uttered would have that effect .. .. .. | ix. | 479 |
| Held in a case of conspiracy, that, considering the time and circumstances under which the petition, which forms the basis of the charge for conspiracy, was presented, that it contains a direct promise if the prayer be granted, and implied threat if it be denied, the conviction for that crime is good .. .. .. | ix. | 481 |
| Noticed instance in which a charge should have been recited on conviction at page 51 of the record .. .. .. .. | x. | 24 |
| Six months of the imprisonment of a prisoner is remitted on account of his advanced age of sixty-five years .. .. .. | x. | 142 |
| Printed circular No. 55 requires that the charge on which a prisoner is arraigned shall be recited on his conviction .. .. | x. | 429 |
| A Wuttundar, or Koolkurnee, convicted of embezzlement .. | x. | 453–457 |
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| A District Deputy Magistrate should, on conviction, recapitulate the charge .. .. .. .. .. .. .. .. | x. | 498 |
| Noticed instance in which parties should not have been convicted on the evidence recorded .. .. .. .. .. .. | x. | 558 |
| Previous convictions should not be recorded until after a prisoner is found guilty .. .. .. .. .. .. .. | x. | 598 |
| The conviction of a Police Patel for perjury annulled .. .. | x. | 603–604 |
| Conviction of perjury obtained by the evidence merely of the complainant and of the person who wrote the bond is annulled. | x. | 612 |
| Conviction of a District Police Officer for extortion, &c... .. | x. | 667–680 |
| The evidence of persons interested in establishing the truth of their statements cannot, unsupported by other testimony, be held sufficient to convict a prisoner .. .. .. .. .. | x. | 716 |
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| Cooking prohibited in the dhurumsalas of Candeish .. .. | v. | 646–647 |
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| Inquiry and report directed into the practice of a Nazir's department in taking copies of wills, and in whose custody the registered copy of a will was kept until called for by the Moonsiff .. .. .. .. .. .. .. .. | iii. | 375 |
| A Nazir to be enjoined in taking copies of wills and other such documents to see that they contain every item borne on the original .. .. .. .. .. .. .. .. | iii. | 377 |

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| The copy of a warrant showing the former conviction of a prisoner should be proved by a competent witness from the dufter or record office before it is recorded.. .. .. .. .. | v. | 64 |
| A copy of proceedings refused, Sudashew Buchajee .. .. .. .. .. .. | vii. | 346-347 |
| A Magistrate informed that he ought to give a copy of the sentence or order in every case to a convict or petitioner, as without that an appeal cannot be received .. .. .. .. .. | viii. | 178 |
| Noticed cases having been sent up without copies of the warrants issued, which ought to have accompanied them.. .. .. | viii. | 478 |
| Corporal Punishment, | | |
| Except for very special reasons, flogging should not be given in instalments .. .. .. .. .. .. .. | i. | 47 |
| Infliction of flogging by instalments is to be reserved for the worst characters .. .. .. .. .. .. .. | i. | 138 |
| Flogging should not be awarded to persons advanced in life .. | i. | 138 |
| The Sudder Court object to flogging just before release from jail, and think that some other period should always be fixed for its infliction .. .. .. .. .. .. .. | iii. | 83 |
| Flogging is an improper punishment to inflict upon a person fifty-five years of age .. .. .. .. .. .. | iii. | 614 |
| The second instalment of a flogging is remitted, as the Court object to the flogging of a prisoner just before released from jail. | iii. | 695 |
| A Deputy Magistrate, without the full powers of a Magistrate, is not empowered to award corporal punishment, and the confirmation of such a sentence by the Magistrate does not legalise it .. .. .. .. .. .. .. .. | iv. | 196 |
| Noticed instance of a case of rape in which corporal punishment might also have been administered to the prisoner .. .. | iv. | 270 |
| Section 40 Regulation XIV. of 1827, and Act XIII. of 1850, sanction flogging; there is therefore no cause for interfering with the sentence of a Magistrate awarding flogging in a case of embezzlement and felonious theft .. .. .. .. | v. | 228 |
| Noticed the discrepancies between an entry in the register of petitions, and the explanation of a Session Judge as to the number of lashes to be awarded to a prisoner .. .. .. | v. | 508 |
| If a Session Judge were not prepared to take the responsibility upon himself of not inflicting it, he should have carried out a sentence of corporal punishment on the very day it was awarded .. .. .. .. .. .. .. .. | vi. | 832 |
| The Sudder object to corporal punishment being inflicted without allowing the prisoner time to appeal .. .. .. .. | viii. | 44- 45 |
| The law permits one hundred lashes to be inflicted as a punishment and places no restriction upon the time at which they are to be inflicted ; and though the Sudder, as a general rule, object to so heavy a sentence as one hundred lashes, or to the punishment being inflicted without giving the convict time to appeal, or at a longer period than three months after sentence, still there is nothing in the law to prevent the Session Judge from sentencing a convict to one hundred lashes, twenty-five to be inflicted at once, and the rest twenty-five at a time at intervals of three months between each .. .. .. .. .. .. .. | viii. | 44-45 |
| Circular No. 32, of the 18th May 1830, shows that confirmation is only required when the period of imprisonment is increased, not when a sentence is made heavier by stripes, as that is a power the Session Judge has for the preservation of jail discipline .. .. .. .. .. .. .. .. | x. | 70 |
| The flogging awarded by a Deputy Magistrate is annulled, he not being vested with the powers which authorise him to adjudge that punishment .. .. .. .. .. .. .. | x. | 247-248 |

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| Attention called to printed circular No. 251, of the 9th October 1841, which directs that corporal punishment shall not be carried into effect if circumstances permit, until sufficient time has elapsed for a reference to the Sudder .. .. .. .. | x. | 471 |
| The flogging adjudged by an Acting Second Assistant Magistrate is annulled, he not being vested with the full powers of a Magistrate, and consequently not competent to award flogging .. .. | x. | 472 |
| Corpse, | | |
| Footsteps traced to where a corpse was found, should have been compared with the feet of the suspected parties, and the result recorded .. .. .. .. .. .. .. .. | i. | 7 |
| On an inquest, report it is necessary to record merely the wounds on a corpse, the opinion of the inquest that the deceased died from those wounds, and that the prisoner had caused those wounds .. .. .. .. .. .. .. .. | ii. | 7 |
| Noticed the great neglect of the Police who, in a case of murder, never sent up the fisherman who found the corpse .. .. | ii. | 74 |
| A witness should have been examined more strictly as to the spot whence the corpse of a murdered man appeared to have been dragged .. .. .. .. .. .. .. | iii. | 198 |
| A District Police Officer should have caused the members of an inquest to examine and to record their opinion respecting the blood found in the house of the murdered man, and to have traced it thence to the place where the corpse was found .. | iii. | 417 |
| Corroboration, | | |
| Rumours of bad character are no evidence of a particular act, and add no corroboration to a confession .. .. .. .. | ii. | 324 |
| A prisoner's statement should not have been taken as corroborative of the confession of his comrade .. .. .. .. | v. | 288 |
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| Cotton. | | |
| False package and adulteration of cotton, | | |
| Nandchund Nuthoo .. .. .. .. .. .. | ii. | 125–126 |
| Fraudulently deteriorating cotton, | | |
| Runchore Lukmidas .. .. .. .. .. .. | ii. | 175–177 |
| Bhoola Morarjee .. .. .. .. .. .. | ii. | 391–393 |
| Raychund Kapurchund, and another .. .. .. .. | v. | 840–846 |
| Fraudulent sale of deteriorated cotton; and deterioration of cotton, | | |
| Huree wulub Hurjeewun, and five others .. .. .. | ii. | 599–604 |
| Fraud in the sale of cotton, | | |
| Anoopchund wulud Nursingdas .. .. .. .. | iv. | 191–193 |
| Offering for sale or selling cotton fraudulently deteriorated and mixed with dew, | | |
| Jumnadas Lalbhace .. .. .. .. .. .. | vi. | 168–170 |
| Falsely packing cotton and fraudulently offering it for sale or selling the same, | | |
| Dhirujram Tooljaram, and three others .. .. .. | vi. | 258–264 |
| A Magistrate is recommended not to waste time in inquiring into cases of bad cotton, unless upon complaint of the parties themselves upon whom fraud has been attempted or been practised in respect to cotton .. .. .. .. .. .. | vi. | 264 |
| An order calling upon a person to give security in rupees one thousand, because some cotton found in his godown was suspected to have been stolen, is annulled .. .. .. | vi. | 810 |
| Counsel, | | |
| It being evident on a review of the proceedings of a case of bribery that the conviction of the prisoner was contrary to evidence, the Court, without hearing counsel, decided accordingly, and annulling conviction and sentence ordered the fine to be returned .. .. .. .. .. .. .. .. | ii. | 153–154 |

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| When a Government servant appealing against a conviction employs English counsel, the Advocate General should be called on to support the conviction .. .. .. .. .. | ii. | 154 |
| On counsel moving to be heard in favour of a prisoner, the Court held it was needless, as, on a review of the proceedings, they had come to the conclusion that the evidence was insufficient to warrant the verdict found against the prisoner .. .. .. | iv. | 681 |
| A Session Judge is requested to recall as illegal an order of his predecessor prohibiting certain parties from acting as counsel in criminal trials .. .. .. .. .. .. .. | vii. | 381 |
| *See* also "Vakeels." | | |
| Count, | | |
| Noticed that, in a charge of assault, and attempt to commit murder, the second or last count was unnecessary .. .. | ii. | 54 |
| Held that there was nothing illegal, and that it was competent in a Magistrate, having annulled the sentence of the Deputy Magistrate upon the first count, to direct him to proceed upon the second count of the charge .. .. .. .. .. | ix. | 47 |
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| Noticed in a case of murder, that the District Police Officer put more details into the dying declaration than could possibly have been deposed to by the deceased .. .. .. .. | iii. | 8 |
| The cause of a prisoner's death should have been put beyond question before proceeding with the evidence which was to fix the fault upon the prisoner .. .. .. .. .. .. | iii. | 659 |
| Noticed by a Session Judge, in a trial for murder, that the deposition of the deceased contained matter which must have been put into his mouth.. .. .. .. .. .. .. | iii. | 710 |
| Whenever the condition of a wounded man, who appeared likely to survive when first examined, becomes so much worse as to make a fatal termination probable, a new deposition should be taken from him, and evidence be forthcoming at the final trial to show that such deposition was given when death appeared imminent. | iii. | 800 |
| Noticed that, in consequence of the culpable negligence of a Police Patel, the dying declarations of a woman were not taken .. | iv. | 328–329 |
| The deposition of the deceased person should have been taken in presence of the prisoners .. .. .. .. .. | iv. | 332 |
| The evidence of the deceased not having been taken in the prisoner's presence, ought not to have been recorded, nor used as evidence .. .. .. .. .. .. .. .. | vi. | 441 |
| The attesting witnesses to the deposition of the deceased not proving that document, the District Officer or Police Karkoon who wrote it should have been examined .. .. .. | vi. | 492–493 |
| The omission to prove that the deposition of a deceased person was made in the prisoner's presence rendered the deposition of no avail as evidence .. .. .. .. .. .. | iv. | 5 |
| Noticed in a case of murder, that the body of the deceased should not have been removed until an inquest had been held upon it.. | vii. | 6 |
| The proceedings in the case of every person convicted of dacoity to whom the Thug Agent shall have granted a certificate of exemption from death or transportation, on the condition of their giving true evidence, are to be handed up to Government, with a view to the sentence being indefinitely suspended .. | vii. | 96 |
| Noticed instance in which the death of a convict should have been, but was not, immediately reported by the Nazir .. .. .. | vii. | 557 |
| The statement of a deceased person might have been proved by the Karkoon who wrote it, or by the District Police Officer by whom it was taken; and so long as it was taken in the prisoner's presence and on affirmation, he having power to cross-examine the witness, it was good evidence, and, after the deponent's death, might, under Clause 7 Section 34 Regulation XIII. of 1827, have been used against the prisoner .. .. .. .. | viii. | 53 |
| Because a deceased person's statement could not be proved, because it could not be attested, and because it was not taken when the deceased was in expectation of death, are not reasons for not using and recording it as evidence .. .. .. .. | viii. | 53 |

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| A prisoner causing the death of his wife by throwing his shoes at her, received a mitigated sentence of six months' imprisonment with hard labour .. .. .. .. .. .. .. | viii. | 231 |
| An inquest report ought not to be recorded until after it is proved that the person on whom it was held is dead .. .. .. | viii. | 650 |
| In reply to a reference from Government, the Sudder state, that it is the opinion of the Court that the prisoner, Vekya bin Ramjee (regarding whose insanity the Government had been addressed), did cause the death of the deceased .. .. | ix. | 561 |
| The brother-in-law of the deceased person should not have been one of the members of the inquest on his body.. .. .. | x. | 191 |
| A Session Judge, in acquitting parties accused of causing death by poisoning, should have added to what he had recorded, the fact, that it was not proved that death was caused by any poison at all .. .. .. .. .. .. .. .. | x. | 133 |
| A plea of guilty of killing the deceased in self-defence was a plea of not guilty of murder, and should have been so recorded. | x. | 159 |
| Noticed instance in which the village Police were greatly in fault in not coming to the deceased on being appealed to by his wife, and in not taking his deposition before he died .. .. | x. | 209 |
| Decree, | | |
| A Moonsiff is informed that the law does not require a petition for review to be accompanied by a copy of the decree .. .. | vii. | 436 |
| Decency, | | |
| Proclamation for the due observance of decency and cleanliness.. | vii. | 459–461 |
| Decision, | | |
| Moolchund Bhatey.—Petition praying that the decision of the Magistrate in a case of alleged embezzlement, might be set aside, and the case inquired into.. .. .. .. .. .. | iii. | 236–238 |
| A Magistrate having, in correcting the illegal part of a Deputy Magistrate's decision, done nothing contrary to substantial justice, the Court do not think it advisable to interfere .. | v. | 49 |
| Declaration, | | |
| Noticed that, in consequence of the culpable neglect of a Police Patel, the dying declarations of a woman were not taken .. | iv. | 328–329 |
| Decree, | | |
| The law does not require that a petition for review should be accompanied by a copy of the decree .. .. .. .. | vii. | 436 |
| Defamation, | | |
| A Moonsiff in bringing a charge against certain parties of conspiring to injure or defame him, not only fails to divest his conduct of suspicion, but adds thereto .. .. .. .. .. | viii. | 640 |
| Default, | | |
| A Magistrate should have fixed, which he has omitted to do in his proceedings, the period for which a surety is to be imprisoned in default of paying the fine, should the same become forfeited. | iv. | 81 |
| Defect, | | |
| The Government declines commuting the sentence of death passed upon a prisoner, because he, the prisoner, had been under this unconfirmed sentence for three months, in order that certain technical defects in the proceedings of the case might be rectified.. .. .. .. .. .. .. .. | vi. | 67–68 |
| Defence, | | |
| What was the defence of a prisoner should have been made more clear in the English proceedings of a Session Judge .. .. | i. | 13 |
| Notice that inquiry might surely have been made into the averments of a prisoner in his defence .. .. .. .. | i. | 18 |
| A Police Patel should have been examined on the character of a prisoner and of his wife, the death of which latter, it was averred in defence, had been caused under the influence of jealousy .. | i. | 18 |

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| A prisoner may urge general character in defence.. .. .. | i. | 192 |
| Noticed a Magistrate's failing to ascertain from a prisoner what evidence he might desire to adduce in his defence .. .. | ii. | 168 |
| The evidence of two prisoners not having been proved and recorded, nor for the prosecution nor for the defence, should not have been referred to when cross-examining the witnesses for the defence.. .. .. .. .. .. .. .. | ii. | 198 |
| Written defences may be recorded on a trial .. .. .. | ii. | 223 |
| Noticed instance in which, the confession containing exculpatory matter, the truth of the prisoner's statement should have been inquired into .. .. .. .. .. .. .. | ii. | 736 |
| Noticed failure to record the substance of a statement made by a prisoner in his defence, and to quote the regulation under which he was punished .. .. .. .. .. .. | iii. | 225 |
| The witnesses for the defence not being present, their examination before the Police ought not to have been recorded .. .. | iii. | 331 |
| Noticed that the witnesses for the defence, who had disproved the *alibi* set up by the prisoner, should have been cited for the prosecution .. .. .. .. .. .. .. | iii. | 331 |
| Noticed as very objectionable and illegal, that, when the evidence for the defence was going on, the Superintendent of Police, who was conducting the prosecution, was called into the witness-box to contradict one of the deponents .. .. .. .. | iii. | 599–600 |
| Noticed in a trial for murder, the improper rejection by a Session Judge of the evidence for the defence of two witnesses, because they were prostitutes, and because one of them *possibly* prostituted herself to one of the prisoners every day, and his giving little consideration to anything that was elicited in favour of the prisoners in the course of the prosecution .. .. .. | iii. | 659 |
| Noticed in a trial for gang robbery, that it would have been advisable to have recorded the written defence of the prisoners. | iii. | 799 |
| Noticed in a trial for murder, that the confession of one of the prisoners should have been proved before it was received, and should have been recorded for the prosecution and not for the defence .. .. .. .. .. .. .. .. | iv. | 99 |
| Noticed that the English record of a Session Judge fails to show that the prosecution was formally closed, and the prisoner put on his defence .. .. .. .. .. .. .. | iv. | 139 |
| A retracted confession proved to have been voluntarily given, is evidence for the prosecution, and should not have been recorded for the defence .. .. .. .. .. .. .. | iv. | 225 |
| Noticed instance in which a prosecution would have been strengthened had the parties to a 'punchnama' recorded for the defence been examined .. .. .. .. .. | iv. | 245 |
| Noticed instance in which the prisoners do not appear to have been called upon by the Session Judge for their defence .. | v. | 81 |
| A prisoner's answer and anything he might wish to say relative to his defence should be taken down, and not be met with the remark, that 'the statement was so obviously false, no other questions were put to him.' .. .. .. .. .. | v. | 303 |
| Noticed instance in which certain written defences should not have been recorded .. .. .. .. .. .. | vi. | 13 |
| A party having, but refusing, to adduce before a Deputy Magistrate statements in defence of his conduct, has himself only to blame for not conforming to the laws .. .. .. .. .. | vi. | 284 |
| It is a good defence in perjury when a prisoner can prove that an explanation was given qualifying or limiting his first answer. | vi. | 316 |
| Entering on the defence and thence adverting to the prosecution is opposed to a fundamental rule for the conduct of criminal trials, as laid down in Section 38 Regulation XIII. of 1827 .. | vi. | 794 |

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| If the evidence for the defence is to be suspected because evidence is procurable in the bazar, that for the prosecution must be open to the same objection .. .. .. .. | vi. | 455 |
| A trial being defective from the omission of the Lower Court to examine all the witnesses called for the defence, and it being felt that substantive justice might be defeated if the decision were annulled, the papers are remanded to the Zillah and order issued to the Judge to re-summon the witnesses who had been summoned and dismissed unexamined, and to take their evidence in presence both of the prosecutor and the prisoners, and send it to the Court, with his opinion upon the weight to be given to it .. .. .. .. .. .. .. | vi. | 640-645 |
| A prisoner should be called upon for his defence after the evidence for the prosecution is entirely completed, and only then .. | vi. | 800 |
| It is recorded on a trial in which a prisoner pleaded guilty, that the prisoner was put on his defence, which was superfluous, as he had pleaded guilty. His plea adhered to was enough to enable the Sessions Court to find the prisoner guilty .. .. .. | viii. | 585 |
| Act 38 of 1850 requires that a person shall be defended by his agent .. .. .. .. .. .. .. .. | viii. | 614 |
| A prisoner having presented in his defence an order under the seal and signature apparently of the Mamlatdar, the order is sent to the Magistrate, and he directed to report upon it as bearing upon the present case .. .. .. .. .. | viii. | 750 |
| A Session Judge should have reported that the petitioner only reiterated in his petition what he had urged and had failed to substantiate in his defence in Court .. .. .. .. | ix. | 412-413 |
| Noticed instance in which an Assistant Magistrate proves the confessions as evidence for the prosecution, but records them for the defence. He ought to have recorded them as soon as he had proved them, and have put the prisoners on their defence afterwards .. .. .. .. .. .. .. .. | ix. | 472 |
| Definition, | | |
| The crime or offence ought to be distinctly defined in the charge.. | i. | 464 |
| A Session Judge is recommended to confine himself to the definition of offences as expressed in the code .. .. .. .. | ii. | 267 |
| Defrauding, | | |
| *See* "Crimes Miscellaneous," "Fraud." | | |
| Dehroo, | | |
| A proclamation prohibiting 'dehroo,' and the practice of sorcery, magic, and witchcraft, is ordered to be recalled, the Court considering that no sufficient grounds have been given for its issue, and that there are many reasons why it is better not to agitate men's minds by the promulgation of such an order .. | viii. | 256 |
| Delay, | | |
| A case is rejected on account of the petitioner's delay in appealing. | i. | 574-575 |
| Noticed several instances of delay in the conduct of a trial for attempt at murder .. .. .. .. .. .. | ii. | 278 |
| The conviction of certain prisoners is annulled, because the secondary evidence against them is held not sufficiently strong to justify their conviction on retracted confessions, particularly as these confessions were made on the 18th February and not sent to the Deputy Magistrate until the 2nd April .. .. | ii. | 434 |
| However blameable the delay may be in the conduct of a case by the Magisterial department and Police, it is, at the same time, to be noticed that the delay of the Sessions Court in returning to the Magistrate a document connected with that case is not explained .. .. .. .. .. .. .. .. | iii. | 156-157 |
| Requested a report as to why prisoners committed in March were not received at the Sessions Court until the month of June. | iii. | 200 |

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| Noticed the unaccountable delay in a trial for breach of trust .. | iii. | 225 |
| Noticed several instances of delay in the conduct of a trial for attempt to commit murder .. .. .. .. .. | iii. | 278 |
| Noticed instance in which a petitioner's delay in appealing shuts him out from the further interference of the Sudder Court .. | iii. | 547 |
| A Deputy Magistrate's conduct in delaying to commit a prisoner, is highly disapproved, as well as his want of despatch generally in disposing of the cases before him .. .. .. .. | iii. | 552 |
| Noticed the delay in the committal of a case which, had it been promptly disposed of, would probably have prevented the commission of another very serious offence .. .. .. .. | iv. | 129–130 |
| Noticed that, as a case of perjury was not taken up for a month after commitment, all the witnesses should have been ready to enable the Sessions Court to dispose of it in one day, whereas it is observed, with regret, that three days were occupied in trying it. | iv. | 176 |
| Noticed that a case of murder, received on the 7th May, should have been ready for trial on the 9th July, when it was taken up, instead of which, it occupied three weeks, involving several adjournments .. .. .. .. .. .. .. | iv. | 339 |
| Noticed on a trial for 'attempt to murder,' that a delay, for which no cause is discoverable, appears to have occurred in the investigation of the case by the District Police Officer .. .. | iv. | 351 |
| Prompt investigation is of exceeding importance; and evidence is greatly damaged when several days are allowed to elapse before it is taken .. .. .. .. .. .. .. | iv. | 351 |
| Noticed the delays and adjournments in a case from the incomplete form in which it was handed up by the committing officer. | iv. | 662 |
| Noticed the delay in taking up a case, which, reaching the Session Judge on the 17th February, was transferred to the Assistant Session Judge on the 20th March, and the trial not proceeded with until the 23rd April .. .. .. .. .. | iv. | 712 |
| The Court cannot understand why a Session Judge reserved judgment for a fortnight after a protracted trial of three days.. | iv. | 853 |
| A Session Judge is called upon to explain his procedure in criminal cases, in which delays, adjournments, and much useless procedure are observable .. .. .. .. .. .. | v. | 316 |
| Noticed the long delays and adjournments in a case in which, though the Session Judge took twelve days to prepare his judgment, an oversight in an important part of it is found .. | v. | 434 |
| A Magistrate is directed to report how a case, charging a Police Jemadar with extortion, came to be delayed from the 15*th July* 1853 to the 9*th March* 1855, and whether the accused Jemadar was doing duty during that time or not .. .. | v. | 594 |
| Noticed that the delay in the disposal of a case of culpable homicide is not satisfactorily accounted for, and was unnecessary .. .. .. .. .. .. .. .. | v. | 613 |
| No delay ought to have taken place in giving an acquitted party re-possession of the property found in his house, and which, though suspected, was not proved to be stolen .. .. | v. | 848 |
| Noticed that a case was not taken up, as Regulation III. of 1829 requires, without delay, and by such summary process as the regulations will admit of .. .. .. .. .. .. | vi. | 169 |
| Noticed instance of delay in a case committed on the 19th not being taken up by a Deputy Magistrate until the 30th.. .. | vi. | 169 |
| Noticed delay of a District Police Officer and Assistant Magistrate in the conduct of a case of murder. The corpse was found and inquest held on the 21st December. All the evidence might have been complete on the 22nd December, but the case was not sent up to the Assistant Magistrate until the 23rd January, nor tried until the 2nd April .. .. .. .. .. | vi. | 275 |

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| Noticed great delay in the preparation of a case which, committed on the 17th June, was complete for trial on or about the 30th August. Yet it does not appear that application to put the parties on their trial was made to Government until the 16th January .. .. .. .. .. .. .. .. | ix. | 472 |
| A petitioner not having accounted for the delay in presenting his petition, the Court will not receive it .. .. .. .. | ix. | 593 |
| As in a case of appropriation of property by breach of trust the complainant did not make the charge until so long a time as five months had elapsed, he should have been referred to the civil courts for redress .. .. .. .. .. .. | x. | 12 |
| A Magistrate should, for the very reason of delay that he objects to in bringing forward the case, have reversed the decision of the Deputy Magistrate .. .. .. .. .. .. | x. | 12 |
| Delay in holding an inquest is always to be avoided in India, and in cases especially of assault .. .. .. .. .. | x. | 338–339 |
| Explanation of the delay in the investigation of the case should have appeared on the record .. .. .. .. .. | x. | 716 |
| Demoniac, | | |
| Murder of a man because thought a demoniac, dealer in evil spirits, or sorcerer .. .. .. .. .. .. .. .. | ix. | 1– 15 |
| *See* " Sorcerer," " Witch." | | |
| Denial, | | |
| Noticed instance in which, except a prisoner's confession and plea of guilty, there is no proof against her whatever; and that, had she pleaded not guilty and denied her confession, she must have been acquitted .. .. .. .. .. .. | vi. | 408 |
| Of Justice.—Biji Sing Sooltan Sing .. .. .. .. | vii. | 58– 63 |
| Ditto ditto .. .. .. .. | vii. | 301–302 |
| Denomination, | | |
| For the word 'religion' an Assistant Magistrate improperly substitutes 'denomination;' and for 'Christian religion' uses the term 'denomination Christian' .. .. .. .. .. | ii. | 319 |
| Denounce, Denouncement, | | |
| A Deputy Magistrate was not justified in denouncing the act of a prisoner in the terms he does; nor does the offence of the prisoner merit the heavy sentence passed.. .. .. .. | x. | 103 |
| The denouncement of a prisoner by him of whose murder he was accused, should not have been recorded as evidence .. .. | x. | 204 |
| Deojee wulud Nowsa.—Murder .. .. .. .. .. .. | iii. | 270–273 |
| Deojia wulud Anojee.—Rape .. .. .. .. .. .. | iii. | 695–698 |
| Department, | | |
| A party communicating information from the record office of the Inam Commissioner, having done nor Government nor the Inam Commissioner any injury, should have been punished departmentally .. .. .. .. .. .. .. | vi. | 219 |
| Deposit, | | |
| Property lodged in Court as stolen or suspected property should not be confiscated, but held in deposit for the benefit of the party who may succeed in establishing a claim to it .. .. | iv. | 148 |
| A box kept in deposit to be restored immediately to the person the prisoner (a District Police Officer) may appoint to receive it.. | x. | 680 |
| Deposition, | | |
| The sworn deposition of a prisoner as evidence for the prosecution ought not to have been recorded, his examination before the Police, on affirmation, not being admissible against him .. | i. | 70 |
| If the depositions taken down by the Foujdaree Karkoons are not what the witnesses say, the Assistant Magistrate should have the depositions, as the witnesses give them, taken down in Guzerathee at the same time that he takes them down in English. | i. | 530 |


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| A deposition to be valid as evidence, must, at the time it was taken, be taken in the prisoner's presence, the only exception, perhaps, being that of a deposition taken in *articulo mortis* .. .. .. .. .. .. .. | i. | 590 |
| Noticed that a prisoner's statement made before the Police has not been recorded as it should have been .. .. .. | i. | 674 |
| The deposition of a prisoner is said to be disbelieved, nevertheless the statement he deposed to therein is assumed as true .. | ii. | 119 |
| Noticed the irregular proceedings of an Assistant Magistrate in cancelling several depositions which he had taken in a case of gang robbery .. .. .. .. .. .. .. | ii. | 183 |
| Copies of the depositions of several witnesses, in which the fact of prisoners having been beaten is sworn to, are forwarded to the Magistrate by the Sessions for inquiry into the truth of the allegations .. .. .. .. .. .. .. .. | ii. | 184 |
| The depositions of witnesses in an *ex parte* inquiry ought not to have been taken upon solemn affirmation .. .. .. | ii. | 211 |
| A Mamlutdar should, on inquiring into a case,—the prisoner being present,—have taken the depositions from the witnesses themselves, and not have recorded nor have made use of the depositions taken by a Deputy Magistrate .. .. .. .. | ii. | 211–212 |
| A Session Judge should have proved and recorded the statements made by the prisoners before the District Police Officer or Mamlutdar .. .. .. .. .. .. .. | ii. | 223 |
| A Session Judge should not have recorded a deposition which the attesting witnesses did not hear made but were told to attest by the deceased; but he should have examined the Karkoon who wrote it, and if he were able to prove it, it might then have been recorded .. .. .. .. .. .. .. | ii. | 225–226 |
| Witnesses examined to prove documents should not be asked whether they know the prisoner, and whether they wrote or attested his deposition at such a place; but the documents or deposition should be shown to them, and they should be asked whether they know the handwriting or signatures, and upon their recognising them, they should be examined as to the circumstance under which they wrote or attested the deposition or documents .. .. .. .. .. .. .. | ii. | 281 |
| The examination of attesting witnesses need not include a recapitulation of what is in the deposition they attested, it is sufficient that they were in Court and heard the deposition given, saw the Karkoon take it down, heard what he took down read over to the deponent, that it was the same that he had dictated, that he acknowledged it and signed it, and that that is the document upon which he has recognised his signature .. .. .. | ii. | 283 |
| As a general rule, it seems advisable to record all depositions in the form of a continued relation rather than that of questions and answers.. .. .. .. .. .. .. .. | ii. | 539 |
| The particulars specified in Clause 1 Section 36 Regulation XIII. of 1827 (namely, the name, age, sect, caste, profession, &c.), should be entered after the witness has been put on solemn affirmation .. .. .. .. .. .. .. .. | ii. | 539 |
| Remarks that may be necessary on the evidence of a witness should appear at the close of it; but a Judge should abstain from mingling running comments with the contents of a deposition .. .. .. .. .. .. .. .. | ii. | 580 |
| Stains of blood, or what are supposed to be such, should be submitted to the Civil Surgeon, and his deposition be taken in regard to them .. .. .. .. .. .. .. | ii. | 582 |
| The deposition of an accused person should be recorded at length, and not its substance only be given .. .. .. .. | ii. | 652 |

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| The deposition of a witness examined in the language he is best acquainted with and signed by the witness becomes an exhibit, and is regarded as the original evidence, for the truth of which the witness is responsible.. .. .. .. .. .. | iii. | 212–213 |
| The deposition of a complainant alone cannot be accepted in its integrity to prove the amount of loss he sustained by a robbery .. .. .. .. .. .. .. | iii. | 275 |
| Noticed instance in which the evidence of an approver ought not to have been used against a prisoner, as he was removed from Court before the approver gave his deposition, and which deposition was not read over in the prisoner's presence, nor on his return to Court the following day .. .. | iii. | 323–324 |
| The deposition should have been taken of a Jemadar who arrested a prisoner in a case of robbery .. .. .. .. | iii. | 487 |
| Noticed by a Session Judge, in a trial for murder, that the deposition of the deceased contains matter which must have been put into his mouth .. .. .. .. .. .. | iii. | 710 |
| It is to be feared that Police officers too frequently write down in their own words, and not in those of the witness, the general impression which they receive from the deposition given .. | iii. | 710 |
| A Session Judge is not authorised by law to fine a witness for contradictions in depositions .. .. .. .. .. | iii. | 717 |
| Refusal to attest a deposition .. .. .. .. .. | iii. | 727 |
| A party refusing to sign a deposition of confession at the requisition of the District Police Officer, who has power to require it, is punishable, and was properly punished, by a fine .. .. | iii. | 728 |
| It would be well to take a new deposition whenever the condition of a wounded man, who appeared likely to survive when first examined, becomes so much worse as to make a fatal termination probable .. .. .. .. .. .. .. .. | iii. | 800 |
| The deposition of a Civil Surgeon should have been taken in the language of that officer .. .. .. .. .. .. | iv. | 49 |
| Observed that the deposition of a witness is almost entirely composed of hearsay .. .. .. .. .. .. .. | iv. | 99 |
| The record should have shown what depositions were read over to a prisoner, and that he confirmed his plea after hearing them. | iv. | 181 |
| A Police Amuldar should have taken the depositions of the deceased in the presence of the prisoner.. .. .. .. | iv. | 332 |
| Noticed that a case of gang robbery would have been made much clearer had the depositions been more carefully taken .. .. | iv. | 629 |
| The number under which the different depositions are recorded in the English proceedings should always be entered for facility of reference.. .. .. .. .. .. .. .. | v. | 198 |
| Noticed on a trial for riot, that the depositions of the witnesses are full of discrepancies .. .. .. .. .. .. | v. | 242 |
| A man cannot be accused of perjury because he unauthorisedly puts a mark, as another man, to a deposition .. .. .. | v. | 363 |
| A Session Judge and Deputy Magistrate are called upon to explain, the one how he came to prepare and the other how he came to try and to convict, upon a charge of perjury, which has no foundation whatsoever on the deposition of the prisoner, in that that deposition does not show him to have made the statement with which he is charged .. .. .. .. | v. | 460 |
| A Session Judge recommended to retain, for witnesses' deposition, the form introduced by Mr. Hebbert .. .. .. .. | v. | 702 |
| The members of an inquest should not, in their depositions before the Sessions Court, recapitulate the contents of their report, but their testimony should be confined to proving the paper .. | v. | 751 |
| The deposition of a prisoner who is admitted as an approver should be invariably taken afresh from the commencement .. | v. | 838 |

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| It is quite sufficient for an Assistant Magistrate to record in English the name of a witness and as much of his deposition as he thinks fit, or as little as he pleases, and no more than is absolutely necessary to elucidate the case .. .. .. | vi. | 346 |
| Noticed a material discrepancy in the English and Murathee depositions of a witness .. .. .. .. .. .. | vi. | 393 |
| Noticed in a case of murder, that the evidence of the deceased not having been taken in the prisoner's presence, ought not to have been recorded nor used as evidence .. .. .. | vi. | 441 |
| The attesting witnesses to the deposition of a deceased person not having proved the document, the District Police Officer or Karkoon who wrote it ought to have been examined .. .. | vi. | 472-473 |
| The omission to prove that the deposition of a deceased person was made in the prisoner's presence rendered the deposition of no avail as evidence .. .. .. .. .. .. | vii. | 5 |
| Perjury is apparent while the witness is deposing, and instantaneous committal is the nearly universal practice .. .. .. | vii. | 81 |
| In the depositions of parties, hearsay should not have been admitted. | vii. | 436-440 |
| The deposition first given must be assumed to be true until the prisoner proves the facts which, he says, induced him to make a false statement .. .. .. .. .. .. .. | vii. | 591 |
| A prisoner's depositions before a Sudder Ameen are not recorded as they should have been .. .. .. .. .. .. | vii. | 751-752 |
| It is not necessary that a witness' deposition should be attested, and therefore attesting witnesses are not necessary to prove the deposition .. .. .. .. .. .. .. | viii. | 53 |
| Because a deceased person's evidence could not be proved, because it was not attested, and was not taken when the deceased was in expectation of death, are not reasons for not using and recording it as evidence. It is not necessary that a witness' deposition should be attested, and therefore attesting witnesses are not necessary to prove the deposition. It might have been proved by the Karkoon who wrote it, or by the District Police Officer by whom it was taken, and so long as it was taken in the prisoner's presence and on affirmation (the prisoner having power to cross-examine the witness), it was good evidence, and, after the deponent's death, might, under Clause 7 Section 34 Regulation XIII. of 1827, have been used against the prisoner. | viii. | 53 |
| A prisoner pleading guilty, the evidence of the witnesses need not have been taken to prove the depositions .. .. .. | ix. | 49 |
| Noticed extraordinary irregularity of including the evidence of two persons in one deposition .. .. .. .. .. | ix. | 81 |
| The depositions of two persons which were read in a trial for murder, should have been translated, and their substance entered in the proceedings, in accordance with printed circulars No. 14, of the 20th March 1828, and No. 31, of the 14th March 1830 .. .. .. .. .. .. .. .. | ix. | 500 |
| Noticed the irregularity of cancelling depositions once made .. | ix. | 523 |
| A Session Judge's attention is called to the erroneous entry of the substance of a deposition, in which, although the perjury was committed, no perjury appears .. .. .. .. | ix. | 549 |
| Noticed instance in which the village Police were greatly in fault in not coming to the deceased when appealed to by his wife, and in not taking his deposition before he died. . .. .. | x. | 209 |
| Statements taken in the absence of the accused cannot be considered as depositions to be used against him on a trial before a District Police Officer or an Assistant Magistrate .. .. | x. | 680 |
| **Deshmook,** | | |
| Undue exaction by a Deshmook in collecting a puttee or tax from the inhabitants of a village .. .. .. .. .. | x. | 373-378 |

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| **Description,** | | |
| The word 'service' is quite indefinite as descriptive of a person's calling .. .. .. .. .. .. .. | i. | 21 |
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| The way to prove a paper bearing the signature of witnesses, is, not by reading it over to them, but by showing them their signatures, and, on their recognising them, discovering what the paper is.. .. .. .. .. .. .. | ii. | 6 |
| Witnesses examined to prove documents should not be asked if they know the person or attested his deposition or signature, but the document or deposition should be shown to them, and they be asked whether they know the handwriting or the signatures; and, upon their recognising them, they should be examined as to the circumstances under which they wrote or attested the deposition or document .. .. .. .. | ii. | 281 |
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| The inquest report and statement of a deceased person are not proved, as documents attested by witnesses should be proved by the witnesses recognising their signatures .. .. .. | i. | 673–674 |
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| The evidence of the witnesses to an inquest report ought to have been taken separately, and not conjointly .. .. .. | ii. | 6 |
| On the adjournment of a Court during trial, the prisoners and articles in evidence before the Court should be remanded to the Nazir, and an entry to that effect be recorded in the proceedings.. .. .. .. .. .. .. .. | ii. | 8 |
| Noticed discrepancy between the finding of the Session Judge and the record of the evidence on which it purports to be based .. | ii. | 7– 8 |
| Noticed instance in which the evidence dispensed with would have been preferable to that recorded .. .. .. .. .. | ii. | 7 |
| Noticed instance in which the evidence of certain witnesses should have been recorded.. .. .. .. .. .. .. | ii. | 16 |
| Evidence of the Police ought to have been taken as to the discovery of stolen property in the house of a prisoner .. .. | ii. | 51 |
| Noticed that the trials of a Session Judge are replete with hearsay evidence, and objectionable otherwise for their long adjournments .. .. .. .. .. .. .. .. | ii. | 133 |
| A statement made for the purpose of establishing an *alibi*, though not corroborated by the witnesses called to prove it, became evidence for the prosecution; and the Session Judge should have therefore proved it, and have examined the witnesses originally called for the defence of the prosecution .. .. | ii. | 139–140 |
| The Sudder are at a loss to understand, from the examinations recorded, how the evidence of certain parties in a trial for perjury was elicited without leading questions being put to them .. .. .. .. .. .. .. .. | ii. | 142 |
| It is very much to be desired that a Session Judge would abstain from recording any hearsay evidence .. .. .. .. | ii. | 167 |
| Noticed a Magistrate's failing to ascertain from a prisoner what evidence he might desire to adduce in his defence .. .. | ii. | 168 |
| Property in evidence before a Court should not be returned until the trial is finally disposed of .. .. .. .. .. | ii. | 175 |
| A deposition which the attesting witnesses did not hear made, but were told to attest by the deceased, should not have been recorded without examining the Karkoon who wrote it, and if he proved it, it might then have been recorded .. .. | ii. | 225–226 |
| Noticed in a trial for murder, that evidence as to the burial of the deceased should have been taken to endeavour to corroborate the assertion of a witness that it took place in accordance with the advice of the Bhugut .. .. .. | ii. | 268 |
| Hearsay is worse than useless to assist in the review of a trial .. | ii. | 268 |
| Noticed the introduction into a trial of much hearsay, which should not have been recorded .. .. .. .. .. | ii. | 278 |

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| Rumours as to bad character are no evidence of a particular act, and add no corroboration to a confession .. .. .. | ii. | 324 |
| A village Foujdar having furnished watchmen to guard property in money, it should have been shown where the money was deposited, and how many persons were in charge of the box .. | ii. | 428 |
| Noticed that a person who deposed to his lodging in the house in which a robbery was committed, was not examined, as he should have been, for the prosecution .. .. .. .. .. | ii. | 423 |
| The conviction of certain prisoners is annulled, because the secondary evidence against them was held not sufficiently strong to justify their conviction on retracted confessions, particularly as the confessions were made on the 18th February, and were not sent to the Deputy Magistrate until the 22nd April .. | ii. | 434 |
| A female charged with the murder of her two children, having said that she herself was also thrown into the well, the well should have been examined, to ascertain whether she and her two murdered children could have been pushed into it.. .. | ii. | 468 |
| Noticed in a trial for robbery, that a Session Judge should have ascertained from a witness what became of the ornaments she gave her husband when the house was attacked .. .. | ii. | 516–517 |
| Noticed case in which the Police authorities ought to have tested the truth of the prisoner's confessions .. .. .. .. | ii. | 519 |
| Remarked in a trial for extortion, that the Session Judge ought to have elicited all the details, as set forth in the petitions from the witnesses, and have placed them on record .. | ii. | 518–519 |
| Evidence should not be elicited by leading questions; the same result can be obtained by another and legal mode of questioning .. .. .. .. .. .. .. .. | ii. | 519 |
| An approver in one case ought to have been received as an evidence in others .. .. .. .. .. .. .. | ii. | 525 |
| A Supernumerary First Assistant Magistrate must give in a succinct form a summary of the evidence taken before him, which is common to his department, and done by other committing officers .. .. .. .. .. .. .. | ii. | 532 |
| Noticed instance in which a case of forgery could have been proved by the Karkoon who received the bond from the prisoner to file, or by the Sheristedar, and by the evidence of the writer and attesting witnesses, without anything further .. .. | ii. | 539–540 |
| It is by the evidence of the witnesses to the bond itself that a bond must stand or fall .. .. .. .. .. .. .. | ii. | 540 |
| Taking too much evidence, though a mistake on the right side, is yet a mistake to be avoided, as, if a Session Judge listen to what people say, which is not evidence, he is in danger of allowing it to weigh in his mind and influence his judgment .. | ii. | 540 |
| A Session Judge, in recording an additional plea of guilty, should have been careful to have noted that the evidence was, as prescribed by law, read over, and the admissions it contained duly confirmed; but that course having been omitted, the proceedings are incomplete, and the conviction illegal .. .. .. | ii. | 545–546 |
| Pointed out to a Session Judge certain evidence which the Police authorities do not appear to have examined, but that he should take .. .. .. .. .. .. .. .. .. | ii. | 548 |
| Remarks that may be necessary on the evidence of a witness may appear at the close of it; but a Judge should abstain from mingling running comments with the contents of a deposition .. | ii. | 580 |
| In all cases in which stains, supposed to have been produced by blood, are deemed important evidence for the prosecution, they should be submitted for analysis to the Civil Surgeon, and that officer's deposition be taken as the only evidence that can be relied upon .. .. .. .. .. .. .. .. | ii. | 582 |

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| Noticed in a case of gang robbery, that neither the Session Judge nor Assistant Magistrate took any evidence regarding the search in the prisoner's houses, and the grain discovered there .. .. .. .. .. .. .. .. | ii. | 634 |
| Noticed instance in which, on the evidence recorded, the prisoners should have been found guilty of murder .. .. .. | ii. | 648 |
| A wife's evidence is not admissible against her husband, and her deposition ought not consequently to have been recorded in the proceedings.. .. .. .. .. .. .. .. | ii. | 660 |
| The record of proceedings in another case is not evidence .. | ii. | 674 |
| A Joint Police Officer greatly exceeded his authority in taking the evidence of a party who was evidently concerned in the crime of murder then under investigation .. .. .. .. | iii. | 50 |
| Noticed in a case of murder, that the evidence of the Joint Police Officer should not have been recorded against the prisoner .. | iii. | 129 |
| The evidence against a prisoner in a case of murder being wholly circumstantial and presumptive, is held by the Sudder insufficient for his conviction, which is therefore annulled .. .. | iii. | 141–149 |
| Evidence of a complainant's character for chastity should be taken in a case of rape .. .. .. .. .. .. | iii. | 151–152 |
| Noticed in a trial for rape, that the evidence for the defence failing, the witnesses should have been examined for the prosecution, as a charge of rape is easily made and extremely difficult to be refuted, and consequently all available evidence should be recorded .. .. .. .. .. .. .. .. | iii. | 152 |
| Noticed in a case of murder, the absence, without any cause given, of a very material witness, who might have ensured the conviction of both the prisoners without resorting to the testimony of any accomplice against one of them .. .. .. .. | iii. | 166 |
| A Magistrate who could not supply the Court with a translation of his Deputy's proceedings, should have submitted a summary of the evidence in English .. .. .. .. .. | iii. | 171 |
| The deposition of a witness examined in the language he is best acquainted with, becomes an exhibit, and is regarded as the original evidence, for the truth of which the witness is responsible .. .. .. .. .. .. .. .. | iii. | 212–213 |
| A Magistrate stated he did not consider it necessary to take the evidence of the prisoner's witnesses, and yet, without hearing them, records that there is every reason to suppose they were in charge of the other stolen articles, in respect to which he had precluded himself from making any remarks .. .. .. | iii. | 241 |
| A Session Judge's allusion to the career of prisoners as robbers, should have been supported by the testimony of competent authority .. .. .. .. .. .. .. .. | iii. | 255 |
| A prisoner's confession ought to have been proved before it was recorded against him .. .. .. .. .. .. | iii. | 261 |
| The deposition of a complainant cannot be accepted in its integrity to prove the amount of loss sustained in a robbery . | iii. | 275 |
| There is nothing, in the case of a prisoner tried for receiving stolen property, to show that a robbery had been committed or complaint made, or that the prisoner was aware that certain articles, which he was accused of receiving, had been stolen .. | iii. | 293 |
| The alleged robbery of a waistband occurred so long ago that the strongest evidence was necessary to prove the charge against one of the two prisoners, whose defence was entitled to more consideration than it received .. .. .. .. .. | iii. | 293 |
| The evidence of an approver, given after a prisoner was removed from Court, and which deposition was not read over in the prisoner's presence on his return, ought not to have been used against the prisoner .. .. .. .. .. .. | iii. | 323–324 |

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| Evidence should have been taken of the handwriting of a bond, and the proof should not have been left to the chance of the prisoner admitting his handwriting .. .. .. .. | iii. | 351 |
| The evidence relied upon by a Session Judge to corroborate the retracted confessions of the prisoners, is held by the Sudder insufficient for their conviction .. .. .. .. .. | iii. | 358 |
| Noticed in a case of robbery, attended with murder, that there appears to have been no Police evidence to the discovery of the body .. .. .. .. .. .. .. | iii. | 364 |
| An Assistant Magistrate is in error in holding that the evidence of a wife against her husband is not legally admissible. The Judges of the Sudder Foujdaree Adawlut have held it inexpedient to use it as a general rule, but cases may occur demanding a deviation .. .. .. .. .. .. .. .. | iii. | 417 |
| A Deputy Magistrate was wrong in having taken evidence in the absence of the accused .. .. .. .. .. .. | iii. | 457 |
| The Court, concurring with the Session Judge, annul the conviction and sentence of a prisoner by the Magistrate, on the ground of want of evidence .. .. .. .. .. .. .. | iii. | 465-466 |
| A Deputy Magistrate should have taken the deposition of the Jemedar who arrested the prisoner in a case of robbery.. .. | iii. | 487 |
| The evidence of a Mamlutdar should have been taken as to the statement of a Native Revenue officer, who, in denying his guilt, appealed to 'very long service' .. .. .. .. | iii. | 493 |
| The evidence of approvers can only be received in corroboration of other testimony, or as strengthening impressions produced by circumstances .. .. .. .. .. .. .. | iii. | 595 |
| Noticed, as very objectionable and illegal, that while the defence was going on, the Superintendent of Police, who was conducting the prosecution, was called into the witness-box to contradict one of the deponents .. .. .. .. .. | iii. | 599-600 |
| Noticed in a trial for gang robbery, the irrelevancy of much that is on record, which, being matter of opinion and hearsay, and not evidence, should have been altogether excluded .. .. .. .. .. .. .. .. | iii. | 602 |
| Prisoners acquitted on account of there being no independent testimony against them, that of the Police being open to very great suspicion .. .. .. .. .. .. .. | iii. | 602 |
| The cause of a prisoner's death should have been put beyond question before proceeding with the evidence which was to fix the assault upon the prisoner .. .. .. .. .. | iii. | 659 |
| In a trial for murder, the medical opinion is recorded replete with confusion, and essential omissions are apparent.. .. .. | iii. | 659 |
| Noticed the extraordinary rejection by a Session Judge of the evidence for the defence of two witnesses, because they were prostitutes, and because one of them *possibly* prostituted herself to the prisoners every day, an assumption which there is no trace of evidence to justify .. .. .. .. .. | iii. | 659 |
| A Session Judge is not authorised by law to fine a witness for contradictions in depositions .. .. .. .. .. | iii. | 717 |
| Noticed trial in which the written defence of the prisoners should have been recorded.. .. .. .. .. .. .. | iii. | 779 |
| Noticed instance in which the evidence of a prisoner's wife should not have been taken .. .. .. .. .. .. | iii. | 779 |
| It would be well to take a new deposition whenever the condition of a wounded man, who appeared likely to survive when first examined, becomes so much worse as to make a fatal termination probable. Evidence should also be forthcoming at the final trial to show that such deposition was given when death appeared imminent .. .. .. .. .. .. | iii. | 800 |

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| The Court regrets to notice that a wounded man has been caused to describe the length, and breadth, and depth of wounds which he could not see, as they were on the top of his head; and that the description given by the sufferer of each wound so exactly corresponds with that given by the members of the inquest, as to demonstrate that some portion at least of the deceased's deposition was supplied by another .. .. .. | iii. | 800 |
| A witness is, for giving false evidence, remanded to the Magistrate by the Sessions Court, that a charge of perjury may be preferred against him .. .. .. .. .. .. | iii. | 823-824 |
| Noticed instance in which conviction could not be allowed on the unsupported testimony of a woman, who admitted having accused another prisoner because she thought it would be pleasing to the Police .. .. .. .. .. .. | iii. | 834 |
| A prisoner who was guilty, according to her own statement, of the concealment of murder before and after the fact, and had been examined, as an accused person, on a charge of murder, ought to have been pardoned before her evidence was taken; and that it was not competent to cite her as a witness for the prosecution, for, until she was pardoned, she was exempted by law from being called upon to state any matter criminatory of herself .. .. .. .. .. .. .. .. | iii. | 868-869 |
| If a Magistrate distrusted the evidence for the prosecution, it was improper for him to have called upon the accused to find security .. .. .. .. .. .. .. .. | iii. | 876 |
| Noticed in a trial for serious assault, that the Patel of the prisoner's village, and some of his relatives, should have been examined as to his former character and behaviour .. .. | iii. | 902 |
| The conviction and sentence in a case of conspiracy are annulled, as resting wholly and exclusively upon the, in this case, doubtful, interested, and malicious evidence of the Police .. .. | iv. | 7- 11 |
| The evidence against a prisoner resting solely upon his identification, after the lapse of from seven to eight years, by persons who now depose to having distinctly recognised him, but who never accused him at the time, is insufficient to enable the Court to affirm his conviction .. .. .. .. .. | iv. | 75- 76 |
| Noticed that the remarks on the bad character of a prisoner are not supported by its being shown that he has ever been before convicted .. .. .. .. .. .. .. .. | iv. | 81- 82 |
| A Session Judge is requested, in future trials for murder, to take the evidence of the members of the inquest, to the effect that the report recorded was that they had subscribed .. .. | iv. | 99 |
| A Session Judge is cautioned against the introduction of hearsay, of which the deposition of one prisoner is almost wholly composed .. .. .. .. .. .. .. .. | iv. | 99 |
| The conviction in a case of bribery being contrary to evidence, is annulled .. .. .. .. .. .. .. .. | iv. | 153-154 |
| Conviction against a prisoner ought to have been recorded before taking evidence as to former convictions, which should only be considered on the apportionment of the sentence .. .. | iv. | 167 |
| The report of a jury of matrons in a case of rape ought not to have been recorded without being proved .. .. .. | iv. | 194 |
| A retracted confession proved to have been voluntarily given, being in evidence for the prosecution, should not have been recorded for the defence.. .. .. .. .. .. | iv. | 225 |
| Advertance should not be made to former crimes and punishments when the Court has not the means of proving that they ever existed .. .. .. .. .. .. .. .. | iv. | 234 |
| Proof of conviction of one offence is not to be given in evidence to prove another .. .. .. .. .. .. .. | iv. | 235 |

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| A very grave omission is observable in the English proceedings of a Session Judge, which ought to be a faithful exhibition of all that is elicited at a trial .. .. .. .. .. .. | iv. | 338-339 |
| The proceedings of a First Assistant Magistrate in a case of murder indicate that other evidence might have been adduced for the prosecution. This, however, was overlooked, and nothing was eliminated from the evidence, save the useless observations of the Police that the prisoner confessed .. .. .. | iv. | 338-339 |
| A delay, for which no cause is discoverable, appears to have occurred in the investigation of a case (of attempt at murder) by a Police officer .. .. .. .. .. .. .. | iv. | 351 |
| Prompt investigation is, in this country, of exceeding importance; and evidence is greatly damaged when several days are allowed to elapse before it is taken .. .. .. .. .. | iv. | 351 |
| Noticed in a trial for robbery, that the implication of two of the prisoners by a third, who confessed himself a thief, should not have been allowed to weigh against them .. .. | iv. | 383 |
| The excuse of a Session Judge, that he had never read the law of evidence before he tried the case (on which the Sudder felt regret to comment), is wholly inadmissible .. .. .. | iv. | 443 |
| It is a misapprehension of the law to state that 'children of seven years of age are incompetent to testify,' inasmuch as the prohibition in Act. II. of 1855 only applies to those incapable of receiving just impressions of facts, or of relating them truly .. .. .. .. .. .. .. .. | iv. | 443 |
| Noticed instance in which there was a sufficiently *primâ facie* case against a witness to have warranted the Deputy Magistrate, by preparing the evidence with greater care, in committing him for trial .. .. .. .. .. .. .. | iv. | 451 |
| The substance of a 'kúrarnama,' or agreement, should have been proved by evidence more independent than that of the complainant .. .. .. .. .. .. .. .. | iv. | 455-456 |
| Noticed that the evidence in a case of murder owes as little as possible to, and has been damaged as much as possible by, the Police .. .. .. .. .. .. .. .. | iv. | 486-489 |
| No prisoner can implicate another on trial with him; and no prisoner's statement should be allowed to affect the position before a Court of his companion at the bar .. .. .. | iv. | 595 |
| Noticed the very defective evidence forwarded in a case for trial before the Sessions Court, in consequence of which many adjournments were necessitated, and the labour of that Court was enhanced .. .. .. .. .. .. .. .. | iv. | 659-662 |
| Further evidence should have been taken to prove the handwriting of a prisoner, who says he cannot write, and therefore could not, if this were true, have drawn up the agreement, in the fabrication of which he is made to play so prominent a part .. | iv. | 711 |
| Evidence of the facts attendant on, and succeeding, a robbery, should have been taken and recorded, instead of reliance being wholly placed upon the confessions and their attestors .. .. | iv. | 786 |
| Former character ought not to be adverted to as evidence for the prosecution.. .. .. .. .. .. .. .. | iv. | 853 |
| A Magistrate is informed that the suspicion against the prisoners, of having committed a gang robbery, is so strong as to render it matter of surprise that the charge was not so investigated and proceeded with as to secure conviction .. .. .. .. | iv. | 852-853 |
| No proclamation can be issued unless founded upon law, as the proclamation does not make the law, but is only evidence of it.. | iv. | 988 |
| It is a more correct practice to prove confessions by independent testimony, than to rely on their being admitted without further proof .. .. .. .. .. .. .. .. | v. | 31- 32 |

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| Had all the parties who were made, as bystanders and spectators, prisoners in a case of murder been questioned as witnesses, and no other notice taken of their silence, which hardly amounts to criminal concealment, strong and undoubted evidence might have been secured in the case .. .. .. .. .. | v. | 32–38 |
| The copy of a warrant from the duftur, showing the former conviction of a prisoner, should be proved, by a competent witness, from the duftur or record office, before it is recorded .. .. | v. | 64 |
| No legal objection exists to the evidence of a prisoner's brother.. | v. | 75 |
| Noticed instance in which the proceedings do not show the witnesses had any opportunity for rebutting the evidence for the prosecution .. .. .. .. .. .. .. | v. | 81 |
| A Session Judge is instructed, that as the evidence of the medical officer, by whom the persons of the prisoner and the girl had been examined, was not taken, his opinion should not have been quoted .. .. .. .. .. .. .. | v. | 106 |
| To examine a prisoner before the Court for the prosecution is erroneous .. .. .. .. .. .. .. .. | v. | 106 |
| On the full and voluntary confession of a prisoner before the Court, the Session Judge should have followed the course laid down in Clause 2 Section 37 Regulation XIII. of 1827, and have dispensed with taking further evidence .. .. .. | v. | 115 |
| The evidence of a witness, howsoever young, who understands the difference between truth and falsehood, should be taken on solemn affirmation. .. .. .. .. .. .. | v. | 127 |
| It requires great care, when recording a plea of guilty, to see that the prisoner admitting the fact is aware of, and admits the, legal consequences, and that he takes them all upon himself .. | vi. | 178–179 |
| Motives should not be assigned for the conduct of a prisoner for which there are no grounds whatever .. .. .. .. | v. | 183 |
| A prisoner convicted by the Sessions Court of culpable homicide, upon the evidence only of what a child of ten years old had told her mother of his assault upon her, is by the Sudder Court acquitted .. .. .. .. .. .. .. | v. | 203 |
| Noticed the unsatisfactory evidence adduced on a trial for riot, the witnesses being all of one party, and their depositions full of discrepancies .. .. .. .. .. .. .. | v. | 242 |
| A prisoner's statement should not have been taken as corroborative of that of his comrade .. .. .. .. .. | v. | 288 |
| What is only evidence against one prisoner should not be allowed to weigh against the other .. .. .. .. .. | v. | 293 |
| Confessions are not proved by the witnesses saying that they heard the statement read over to the prisoner, and that he admitted it; but the witnesses must be present when the statement is made, and, having seen it taken down in writing, must attest it, and be able to declare the statement shown to them to be the one they heard given .. .. .. .. .. | v. | 315 |
| The proceedings in a former trial ought not to have been recorded, as they were not evidence in that being held before the Court .. .. .. .. .. .. .. .. | v. | 326 |
| A man merely personating another and giving his evidence under assumed name, cannot be guilty of perjury, unless some part of his evidence is false .. .. .. .. .. .. | v. | 363 |
| A witness should not have been asked whether he admitted the document. The Court should have proved and then recorded it .. .. .. .. .. .. .. .. | v. | 365 |
| The extract from a Court's proceedings ought not to have been recorded as an exhibit in the case, as it was not evidence .. | v. | 379 |
| The report of a District Police Officer not being evidence, ought not to have been recorded (in a case of murder) .. .. | v. | 409–411 |

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| A District Police Officer ought not to have been allowed, while a trial was proceeding, to take the prisoner apart and to converse with him until he told him where the sword, with which a murder had been perpetrated, was concealed .. .. .. | v. | 409-411 |
| A prisoner's confession in the Court in which he is tried is only sufficient for his conviction, if he confirm the same after hearing read so much evidence as, if admitted to be true, would prove the charge against him .. .. .. .. .. .. | v. | 475 |
| It is clearly illegal to convict a prisoner on the plea of guilty, which he retracts after hearing certain evidence read over. A Session Judge ought then to enter a plea of not guilty, and commence the trial *de novo* .. .. .. .. .. | v. | 475 |
| Circumstances and things not in evidence in the Court, ought not to have been referred to at all in evidence against a prisoner .. | v. | 475 |
| Statements as to general character should be taken after conviction in aggravation of punishment, not as evidence of the charge .. .. .. .. .. .. .. .. | v. | 542 |
| The conviction and sentence of a prisoner charged with 'issuing money, knowing it to be base and unlawfully coined,' were annulled, the evidence showing that the square piece of bullion was given as a deposit to be resumed on the payment of rupees. | v. | 552 |
| The conviction and sentence of four prisoners are annulled as resting solely upon their own confessions, and the evidence against them, which is part and parcel of those confessions .. | v. | 558-560 |
| It would have been better if it had been ascertained whether the books referred to on a trial were in the possession of the prisoner, as his having them would have increased the weight of the evidence against him .. .. .. .. .. .. | v. | 643 |
| Evidence ought to have been taken to show that the man who died in hospital was the same who was assailed and wounded in the village .. .. .. .. .. .. .. | v. | 701 |
| When the evidence of the Civil Surgeon, or Hospital Assistant, is available, it is unnecessary to record the inquest report, than which the evidence of either of the two former is preferable .. | v. | 701 |
| The members of an inquest should not, in their depositions before the Sessions Court, recapitulate the contents of their report, but their testimony should be confined to proving the document .. .. .. .. .. .. .. .. | v. | 751 |
| Restoration of property produced in evidence, | | |
| Yelojee bin Gopalee .. .. .. .. .. .. | v. | 846-848 |
| Ditto ditto .. .. .. .. .. .. | vi. | 151-152 231-233 |
| When a prisoner retracts his confession, the Court must have more evidence than mere proof that the prisoner told the story which constitutes his confession.. .. .. .. .. | vi. | 75 |
| Noticed instance in which, contrary to the direction of circular No. 411, the evidence of the witnesses was not taken by the Superintendent of Police in the presence of the prisoner, although the prisoner was in attendance at the time.. .. .. .. | vi. | 114 |
| Noticed, as improper, the record of hearsay by a Session Judge.. | vi. | 138 |
| Noticed in a trial for murder, certain evidence which should have been secured .. .. .. .. .. .. .. | vi. | 191 |
| A Session Judge is not confined to taking only the evidence of those examined by the Magistrate, but is at liberty to call for any other witnesses he may think necessary to support either the prosecution or defence .. .. .. .. .. | vi. | 235 |
| A Magistrate is only required to take sufficient evidence to satisfy himself that there is a case for the Sessions, though he ought to ascertain where all the evidence likely to be required by the Session Judge is to be found .. .. .. .. .. | vi. | 235 |

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| The evidence of the Civil Surgeon should, in cases to be decided and disposed of finally in the Magisterial department, be taken upon oath; but the report of that officer is sufficient in cases of committal to the Sessions Court; because, if necessary, the Session Judge can call upon him to give his evidence in regular form .. .. .. .. .. .. .. .. | vi. | 235 |
| Noticed delay in the conduct of a case of murder, the corpse was found and inquest held on the 21st December, all the evidence might have been complete on the 22nd, but the case was not sent up until the 22nd January, nor tried until the 2nd April.. | vi. | 275 |
| Noticed a Session Judge allowing prisoners to depose to what they had heard, and his recording that hearsay as evidence, which is no evidence at all .. .. .. .. .. .. .. | vi. | 309 |
| A Deputy Magistrate should require from the Police proof that a robbery has been committed; and more evidence against a man than the testimony of two women, who, just awoke from sleep, concur in recognising the robber as a neighbour, and in describing his dress '*a bare head and dhotur*' .. .. .. | vi. | 319–320 |
| The evidence of the witnesses of an inquest report is merely formal, and should not be unnecessarily protracted .. .. | vi. | 405 |
| In a trial for murder, a Patel deposes that one 'Khundo came and told him that the child had been murdered.' This should not have been reported, as it was not evidence .. .. .. | vi. | 412 |
| Noticed, in a case of murder, that the evidence of the deceased, not having been taken in the prisoner's presence, ought not to have been recorded .. .. .. .. .. .. .. | vi. | 441 |
| If evidence for the defence is to be suspected because evidence is procurable in the bazar for money, that for the prosecution must be open to the same objection .. .. .. .. | vi. | 455 |
| Noticed instance in which the testimony of two children, one of six, the other seven, years of age, should have been taken upon solemn affirmation, according to Act III. of 1855 .. .. | vi. | 465 |
| Noticed in a trial for conspiracy, that though the amount of proof adduced may have been sufficient, with collateral evidence to the debt, to satisfy a Civil Court on the justice of the claim on which it had to adjudicate, it does not appear to the Court sufficient to condemn men criminally as conspirators .. | vi. | 568 |
| A case remanded for the evidence which should have been, but was not, taken .. .. .. .. .. .. .. | vi. | 645 |
| When there is reason to believe that a prisoner's story, not being refuted, is probably true, he, or she, must be acquitted and discharged .. .. .. .. .. .. .. | vi. | 677 |
| The fraudulent use of a document must be proved, and not be matter of suspicion only, however grave that suspicion may be .. .. .. .. .. .. .. | vi. | 717 |
| A prisoner should be called upon for his defence after the evidence for the prosecution is entirely completed, and only then .. | vi. | 800 |
| An unestablished *alibi* may be made available for the prosecution by proving the statements of the prisoners and recording them for the prosecution, and then taking the evidence of the witnesses, who failed to prove the *alibi* as evidence in support of the charge .. .. .. .. .. .. .. | vi. | 851 |
| Noticed instance of prisoners being allowed to depose of facts, without its being shown how they became acquainted with them .. .. .. .. .. .. .. .. | vi. | 888 |
| Noticed inquest report and other papers having been recorded without being regularly proved .. .. .. .. .. | vi. | 888 |
| Placing mohsul upon a village is a most objectionable way of obtaining evidence, and were proof solely upon the evidence so obtained, the prisoner would assuredly be discharged .. .. | vi. | 896 |

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| A Session Judge having referred to his Assistant a case which he should have tried himself, ought, when requiring fresh evidence, to have directed that also to be taken by his Assistant, and not have taken it himself .. .. .. .. .. .. | vi. | 931-932 |
| Noticed instance in which an important witness, in a case of murder, should have been examined .. .. .. .. .. | vi. | 5 |
| The omission to prove that the deposition of a party deceased was made in the prisoner's presence, rendered the deposition of no avail as evidence .. .. .. .. .. .. | vi. | 5 |
| Important points of evidence should never be left to be proved by the evidence of the prisoner's relations .. .. .. | vi. | 241 |
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| The statements of a deceased person might have been proved by the Karkoon who wrote it, or by the District Police Officer by whom it was taken, and so long as it was taken in the prisoner's presence and on affirmation (he, the prisoner, having power to cross-examine the witness,) it was good evidence, and after the deponent's death, might, under Clause 7 Section 34 Regulation XIII. of 1827, have been used against the prisoner .. .. .. .. .. .. .. .. | viii. | 53 |
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| Observed that a Session Judge in his finding makes no allusion to the testimony of two women mentioned by a witness .. | i. | 354 |
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| Noticed that neither the finding nor language of a Session Judge's letter, recommending the mitigation of a sentence he himself had passed, conveyed a just impression of the true and deplorable condition of the prisoner .. .. .. .. | ii. | 391–403 |
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| Of a man held by a Deputy Magistrate to be of bad repute, and who, as such, should be sent to the Magistrate for security, because a Foujdar reports that he was fined once for 'abuse' and once for 'breach of trust,' which sentence was annulled, and that he was taken up on five others charges, in one of which a 'razeenama' was filed, and in the others there was no proof against him, the Sudder observe that, if there was less evidence against him in these than in the case under review, he appears an injured man.. .. .. .. .. .. .. .. .. | iv. | 319 |
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| The persons who signed an inquest report being able to write, the Session Judge should have shown them their signatures, and, on their recognition of them, have proved the document, and not have read it over to them first, and then called on them to prove it .. .. .. .. .. .. .. .. | ii. | 74 |
| Noticed that, in the preliminary investigations in a case of murder, an inquest was held on the body of the deceased woman .. | ii. | 272 |
| Noticed that the excuse of a Police Amuldar for not holding an inquest on the body of a deceased woman, because he had caused a jury of matrons to report upon her condition, is an excuse altogether inadmissible .. .. .. .. .. | ii. | 272 |
| A District Police Officer should have caused the members of an inquest to examine and record their opinion respecting the blood found in the house of the murdered man, and have traced it thence to the place where the corpse was found .. .. | iii. | 417 |
| An inquest ought to have been held on the corpse, and inquiries then made as to the circumstances and cause of death. Regulation XII. of 1827 Section 52 Clause 1 provides that the report of an inquest thus conducted shall 'be used in ulterior proceedings as evidence'; but no such provision is made respecting an inquest as to the character and number of wounds committed to writing while the wounded man is still living .. .. | iii. | 800 |

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| A Session Judge is requested, in future trials for murder, to take the evidence of the members of the inquest, to the effect that the report recorded was that they had subscribed .. .. | iv. | 99 |
| Noticed in a case of murder, that the 'punchayetnama,' instead of being, as it should be, an inquest on the body of the deceased, exhibits only an inquiry into the state of the locality in which the murder was committed .. .. .. .. .. | iv. | 731-732 |
| Noticed on a trial for murder, that the inquest report is valueless, and would have been worse than valueless, had not its worthlessness been susceptible of proof .. .. .. .. .. | iv. | 485-489 |
| Noticed the impropriety in the Police of having called in a blind man to serve as a juror on an inquest .. .. .. .. | iv. | 485-489 |
| To obviate the difficulty which exists of getting men who can read and write as members of an inquest, the Court suggest, that to those members of an inquest who can read and write, the highest amount of batta sanctioned by the regulations should be given; and that the Magistrate should notify to the people, that as members of an inquest are not witnesses whose attendance is necessary before the Assistant Magistrates, and therefore, that when they had made their report, they could remain in their village until their attendance was required before the Session Judge .. .. .. .. .. .. .. .. | v. | 411 |
| It is unnecessary to record the inquest report when the evidence of the Civil Surgeon, or Hospital Assistant, either of which would be preferable, is available .. .. .. .. .. | v. | 701 |
| It is superfluous to cause the members of an inquest report to recapitulate, in their depositions before the Sessions Court, the contents of their report; but their testimony should be confined to proving the paper .. .. .. .. .. .. | v. | 751 |
| A Magistrate need never, in cases he will not decide himself, examine attesting witnesses, or witnesses to an inquest report, or the surgeon .. .. .. .. .. .. .. | v. | 824 |
| The evidence of the witnesses of an inquest report is merely formal, and should not be unnecessarily protracted.. .. .. | vi. | 405 |
| Noticed instance of an inquest report and other papers having been recorded without being proved .. .. .. .. | vi. | 888 |
| Noticed in a case of murder, that the body of the deceased should not have been removed until an inquest had been held upon it.. | vii. | 6 |
| Noticed in a case of murder, the absence of an inquest which should have been held .. .. .. .. .. .. | vii. | 10 |
| Witnesses to an inquest report, knowing nothing on the subject on which they were called to speak, need not have been examined. | vii. | 604 |
| Noticed in a trial for murder, that there is no evidence to prove that the inquest report recorded in the case was that of the inquest held upon the prisoner's wife .. .. .. .. .. | viii. | 348 |
| An inquest report ought not to be recorded until after it is proved that the person on whom it was held is dead .. .. | viii. | 650 |
| Noticed that a Session Judge should not record an inquest report before he has proved it .. .. .. .. .. .. | ix. | 29 |
| The brother-in-law of a deceased person should not have been on the inquest .. .. .. .. .. .. .. .. | x. | 191 |
| Noticed the reasons why, especially in India, and in cases of assault, the delay to hold an inquest report is to be avoided .. | x. | 338-339 |
| Noticed as reprehensible, the occurrence of a delay of two days before an inquest was held on the body of a woman .. .. | x. | 338-339 |
| Inquiry, | | |
| Noticed instance in which inquiry might surely have been made into the statements of a prisoner who averred he killed his wife under the influence of excitement, arising from the belief that she had improper connexion with another man .. .. .. | i. | 18 |

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| Held in a trial for murder, that further inquiries should have been made, and that those made had not elicited evidence sufficient to convict the prisoners .. .. .. .. .. .. | i. | 472-475 |
| A Mamlutdar should, on inquiry into a case, the prisoner being present, have taken the depositions from the witnesses themselves, and not have recorded nor have made use of those taken by the Deputy Magistrate.. .. .. .. .. .. | ii. | 211-212 |
| Noticed the neglect of the Police in the preliminary investigations in a case of murder, and that, owing to this neglect, a prisoner has escaped conviction .. .. .. .. .. .. | ii. | 271 |
| A Joint Police Officer greatly exceeded his authority in taking the evidence of a party who was evidently concerned in the crime of murder then under investigation .. .. .. .. | iii. | 50 |
| Inquiry and report are requested of the practice of the Nazir's department in taking copies of wills, and into whose custody the registered copy of a will was retained until called for by the Moonsiff .. .. .. .. .. .. .. .. | iii. | 375 |
| Noticed that the preliminary investigation into a case of assault was very discreditably conducted by a Police Amuldar.. .. | iv. | 87 |
| Government call for inquiry and report into the conduct of the Ahmednuggur Police force, with a view to such summary and severe examples being made as may tend to put a stop to similar disgraceful conspiracies. .. .. .. .. .. .. | iii. | 791 |
| Noticed that the preliminary investigation into a case of assault was very discreditably conducted by the Police .. .. .. | iv. | 87 |
| A Judge requested by the Sudder to inquire into a charge against a Vakeel of suborning evidence, reports that there is no proof of the Vakeel's suborning evidence, as alleged by parties who have been tried for forgery .. .. .. .. .. | iv. | 160 |
| Noticed delay in the investigation of a case by a District Police Officer .. .. .. .. .. .. .. .. | iv. | 351 |
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| The inquiry into a charge of perjury being still in progress, the Sudder refuse, on the petition of the accused, to interfere .. .. .. .. .. .. .. .. | v. | 216 |
| Oaths ought not to be administered in inquiries which are strictly preliminary.. .. .. .. .. .. .. .. | v. | 222 |
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| Flippant and slang expressions are abhorrent in the conduct of judicial inquiries .. .. .. .. .. .. .. | ix. | 546 |

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| A woman tried for and acquitted of murder, on the ground of insanity, is directed to be removed, under a warrant of Government, to the Lunatic Asylum at Colaba .. .. .. .. | i. | 245 |
| The sentence of death passed upon a prisoner, of whose sanity great doubts are entertained, is, by His Lordship, at the recommendation of the Sudder, mitigated to imprisonment for life .. | ii. | 403 |
| Government, on the Sudder submitting, under Act IV. of 1849, the case of a convict, who, subject to fits of epilepsy, if not of insanity, committed murder, direct that he be kept in confinement until a suitable opportunity occurs of forwarding him to the Lunatic Asylum at Colaba .. .. .. .. .. | ii. | 451–452 |
| The proceedings in a case of murder, for the perpetration of which a prisoner is sentenced to imprisonment for life, are to be laid before Government, with a view to the convict's safe custody in a lunatic asylum .. .. .. .. .. | iii. | 885 |
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| Government, having been addressed in regard to a prisoner, who was convicted of assault, being insane, transmit a warrant for his transfer to the Lunatic Asylum at Colaba .. .. .. | iv. | 414 |
| A special finding in a case of murder ought to have been recorded, as the prisoner, from the Civil Surgeon's report, would appear to have been feigning madness, and to be by no means insane .. .. .. .. .. .. .. .. | vi. | 21 |
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| **Lunatic,** | | |
| A woman tried for murder and acquitted of that crime on being found insane, is convicted of having caused the death of another woman while labouring under insanity, and ordered to be confined in the criminal jail, until the pleasure of Government regarding her can be ascertained .. .. .. .. .. | i. | 244 |
| A woman tried for and acquitted of murder, on the ground of insanity, is, under a warrant of Government, directed to be removed to the Lunatic Asylum at Colaba .. .. .. | i. | 245 |
| On the reference of a Session Judge, the Sudder Adawlut submit, under Act IV. of 1849, to the Right Honorable the Governor in Council, the case of a convict, who, subject to fits of epilepsy, if not of insanity, committed murder .. .. .. .. | ii. | 450–452 |
| On the submission, under Act IV. of 1849, of the case of a convict, who, subject to fits of epilepsy, if not of insanity, committed murder, the Government direct that the prisoner be detained in confinement, until a favourable opportunity occurs of forwarding him to the Lunatic Asylum of Bombay, his despatch to which should be reported to Government, in order that the requisite instructions might be issued for his reception. | ii. | 451–452 |
| A person acquitted of murder, on the ground of insanity, is, on the representation of his case to Government, directed to be forwarded, on the first favourable opportunity, to the Lunatic Asylum at Colaba .. .. .. .. .. .. .. | iii. | 529 |
| The despatch of insane prisoners to the Lunatic Asylum of Bombay should be reported to Government, in order that the requisite instructions may be given for their reception at the institution. | iii. | 529 |
| The proceedings in a case of murder, for the perpetration of which a prisoner is sentenced for life, are, with reference to Section 6 Act IV. of 1849, to be laid before Government, with a view to the convict's safe custody in a lunatic asylum .. .. .. | iii. | 885 |
| Act IV. of 1849 treats of what unsoundness of mind excuses the commission of criminal acts, and provides for the safe custody of lunatics .. .. .. .. .. .. .. .. | iv. | 413 |
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| An insane prisoner is, on the warrant of the Government, transferred to the Lunatic Asylum at Colaba.. .. .. .. | iv. | 414 |
| A man charged with killing a woman, having been acquitted by the Session Judge of murder, on the ground of insanity, his case is to be laid before Government, in conformity with Act IV. of 1849. | ix. | 228 |

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| Government direct that the prisoner (Vikya bin Ramjee), who it is decided took the life of his wife (Jankee), he being at the time of unsound mind, be forwarded to the Lunatic Asylum at Colaba | ix. | 562 |
| **Lupus Exedens,** | | |
| The release of a prisoner suffering from '*lupus exedens*' is authorised by Government.. .. .. .. .. .. .. .. | iii. | 859-862 |
| **Luximeebaee,** widow of Ramrow, petitions against the order of a Magistrate assigning her property to another .. .. .. | iii. | 472-473 |
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| **Luximon oorf Sukya bin Muloo.**—Murder .. .. .. .. | iii. | 75- 77 |
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| **Luxmana bin Bheema Naik, and another.**—Serious assault .. .. | x. | 430-438 |
| **Luxmee,** wife of Sadoo Dhuree.—Murder, and attempt at murder .. | i. | 430-438 |
| **Luxmya bin Apajee, and two others.**—Murder .. .. .. .. | i. | 530-536 |
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| A notification enjoining the people of Nassick to make their rice-cleaning machines similar to those recently constructed in the jail of that city, is disapproved .. .. .. .. .. | ii. | 452-453 |
| **Madhowdas Gooroo Hureedas.**—Failure to furnish security for good conduct .. .. .. .. .. .. .. .. | vi. | 884-885 |
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| **Magenlal Futehchund.**—Praying that an order of the Magistrate, making over a portion of his house to petitioner's wife, and requiring him to enter into recognisance to keep the peace, may be annulled .. .. .. .. .. .. .. .. | vii. | 291 |
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| A proclamation, prohibiting 'dehroo' and the practice of magic, sorcery, and witchcraft in the Ahmedabad district, is directed to be recalled, the Court thinking no good grounds have been given for its issue, and that there are many reasons why it is better not to agitate men's minds by the promulgation of such an order .. .. .. .. .. .. .. .. | viii. | 256 |
| **Magistrate,** | | |
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| Noticed the irrelevant remarks of a Deputy Magistrate, who travelled out of the record to indulge in such .. .. .. | i. | 42 |
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| A Magistrate reminded that Act XI. of 1843 should not be applied to such offences as neglect of duty in the Police, but should be reserved for matters in which the interests of the revenue are affected .. .. .. .. .. .. | i. | 46 |
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| A Magistrate is requested to keep English proceedings of his reviews of cases decided by his Deputy Magistrates, who are ignorant of English .. .. .. .. .. | i. | 91 |
| The conviction and sentence in a case of 'resistance to legal process, attended with assault,' are recommended to the Magistrate to be made as public as possible .. .. .. .. .. | i. | 142 |
| Noticed the impropriety of a Deputy Magistrate recording that 'the prisoner is convicted and found guilty,' and thereafter recording, of the same prisoner, that 'he is committed to stand his trial at the court of sessions' .. .. .. .. .. | i. | 207 |
| The complaint of the Thakore of Saund against a Magistrate is pronounced groundless, and the Magistrate commended for the promptitude of his proceedings, and for the patience, tact, and discrimination displayed by him throughout the inquiry undertaken at the request and for the special benefit of the Thakoor .. .. .. .. .. .. .. .. | i. | 241 |
| Every endeavour should be made to detect and to bring to justice the party by whom a letter to the Magistrate was intercepted, and its contents made known .. .. .. .. .. | i. | 241 |
| In communicating his finding to a Magistrate, the Session Judge should have communicated his observations also, whether of concurrence or dissent .. .. .. .. .. .. | i. | 242 |
| An officer of the Guzerat Horse should not have taken up a case in which the men of the Guzerat Horse were complainants and witnesses, but have left it for inquiry by some other magisterial officer .. .. .. .. .. .. .. | i. | 270-271 |
| The reasons given by a Magistrate for demanding security are not concurred in, and the order for security is accordingly annulled .. .. .. .. .. .. .. .. | i. | 383 |
| A Magistrate is referred to circular order No. 388.. .. .. | i. | 387 |
| Noticed as very undesirable and unnecessary, that all gangs of boys who rob an orchard or a field, or commit trifling depredations of that kind, should be tried for the very serious offence of gang robbery, and that an Assistant Magistrate's deciding such a case is quite unobjectionable .. .. .. .. | i. | 387 |
| Noticed as unexpected, the errors of procedure on the part of an Acting Joint Magistrate .. .. .. .. .. .. | i. | 483 |
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| A Magistrate can commit a case at any time the sentence in which is erroneous, or illegal, provided the entire sentence passed by his subordinate has not been executed .. .. | i. | 512 |
| A Magistrate is requested to examine and report on evidence omitted to be taken by a Session Judge.. .. .. .. | i. | 521 |
| An Assistant Magistrate is requested, if the depositions taken by the Foujdaree Kakoons are not what the witnesses say, to have the depositions taken down in Guzerathee at the same time that he takes them down in English .. .. .. .. .. | i. | 530 |
| A charge of rape should not have been tried and disposed of by the Deputy Magistrate, but the case should have been committed to the Sessions Court.. .. .. .. .. .. | i. | 620 |
| The various articles connected with a trial should not be returned to the Magistrate until the case is finally decided by the Sudder Court .. .. .. .. .. .. .. .. | ii. | 8 |
| A Magistrate is requested to give general publicity to circular order No. 43, which strives to impress upon the public the impolicy of allowing children to roam unprotected when loaded with valuable ornaments .. .. .. .. .. .. | ii. | 8 |
| A house in dispute not being a 'tenure' nor 'premises' within the meaning of Act XVI. of 1838, that Act was therefore inapplicable to the case, and the only law which justified the Magistrate's interference was Section 16 Regulation XII. of 1827 .. .. .. .. .. .. .. .. | ii. | 33 |
| A Magistrate is requested to inquire into and decide on an appeal, and to report why he did not do so when applied to by the petitioners .. .. .. .. .. .. .. .. | ii. | 46 |
| A Magistrate's explanation of his refusal to entertain a petition is unsatisfactory. No Magistrate can tell what the real colour of a case is until he has seen it. He may suspect that the colour given was not the true one, but he will find, in almost every petition, that the true colour is not given to the case.. .. .. .. .. .. .. .. .. | ii. | 49 |
| A Magistrate should have called upon his Assistant to report, and not have made a petition, returned to the petitioner, the means of communicating with his Assistant .. .. .. .. | ii. | 49 |
| Noticed the carelessness and irregularity of a Deputy Magistrate who, having decided on some day, the date of which is not given, that the Deputy Magistrate ought not to have tried a case against his subordinates, no where mentions who should commit, nor annuls the Deputy Magistrate's proceedings .. .. | ii. | 61 |
| The trial by a Deputy Magistrate of a subordinate having been disapproved of by the Magistrate, he should have annulled the conviction, and himself have committed the case to the Sessions Court .. .. .. .. .. .. .. .. | ii. | 61 |
| A Session Judge finds fault with an Assistant Magistrate for not sending up witnesses, but omits himself to send for and examine them .. .. .. .. .. .. .. .. | ii. | 74 |
| The first six paragraphs of a proclamation by the Joint Magistrate of Nassick being in the form of a covenant cannot be allowed .. .. .. .. .. .. .. .. | ii. | 106 |
| A Session Judge is directed to call the attention of the Magistrate to the record of his Assistant, showing a Police Patel to have been convicted of, and punished for, six charges of assault and one of adultery; and to instruct the Magistrate that a man with such stigmas on his character, should not have been allowed to continue for one day Police Patel of his village .. .. | ii. | 133 |
| Suggested to the Magistrate of Poona whether, with reference to the return of the Session Judge of the Konkun, certain parties should not be prosecuted for conspiracy and perjury .. .. | ii. | 154 |

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| Noticed disrespect to the Sessions Court and disregard of the regulations in a Magistrate who, on a case being sent up to him for confirmation, does not confirm it, but annuls the sentence, and, as he says, commits the prisoners for trial to the sessions, and sends the proceedings to his Assistant for transmission to the Sessions Court.. .. .. .. .. .. .. | ii. | 167–168 |
| Noticed a Magistrate's disregard of the regulations, in not ascertaining from a prisoner what evidence he might desire to adduce in his defence; and in not informing the prisoner of the precise act for which, and of the manner how, and of the time when, he was committed .. .. .. .. .. .. .. | ii. | 168 |
| An Assistant Magistrate should have recorded his having told the prisoners that they were committed, and his having asked them if they had any witnesses they wished called .. .. | ii. | 175 |
| Noticed the irregular proceeding of an Assistant Magistrate in cancelling several depositions which he had taken in a case of gang robbery .. .. .. .. .. .. .. | ii. | 183 |
| The depositions of several witnesses, in which the fact of prisoners having been beaten is sworn to, are forwarded to the Magistrate by the Session Judge for inquiry into the allegations .. .. | ii. | 184 |
| A Deputy Magistrate ought not, in making an *ex parte* inquiry, to have taken the depositions of the witnesses upon solemn affirmation .. .. .. .. .. .. .. | ii. | 211 |
| A Magistrate is, through the Session Judge, instructed to publish the circumstances of a murder throughout the Zillah with advertance to circular order No. 403, cautioning the public against the danger of allowing children to be at large unprotected with valuable ornaments upon them .. .. .. .. | ii. | 240 |
| On its being ascertained that a prisoner is a Guicowar subject, and that the offence charged against him was committed in the territory of His Highness the Guicowar, the prisoner should be returned to the Magistrate for transmission to the authorities of the state to which he belongs .. .. .. .. .. | ii. | 259 |
| An Assistant Magistrate is called on to report and explain why he uses the word 'denomination' as a substitute for that of 'religion,' which is the term used and called for by the regulations.. | ii. | 319 |
| A Magistrate should have pointed out to his Assistant that rumours as to bad character are no evidence of a particular act, and add no corroboration to a confession .. .. .. .. .. | ii. | 324 |
| The charge which an Assistant Magistrate correctly defined 'robbery,' and Assistant Session Judge erred in altering into a charge for 'breach of trust' .. .. .. .. .. | ii. | 370 |
| Noticed in a trial for wilfully 'setting fire to reaped crops,' that an evidently important witness was not examined either by the Session Judge or Magistrate .. .. .. .. .. | ii. | 411 |
| A Magistrate was perfectly right in altering the charge when directed by the Session Judge, although he dissented in opinion with that officer as to the propriety of the alteration .. .. | ii. | 448 |
| In cancelling a Deputy Magistrate's conviction, the Magistrate should have committed the prisoner himself to the Sessions Court. | ii. | 448 |
| A Magistrate is to be informed that a case of murder would have been more complete had two of the prisoners been from the first made witnesses in it .. .. .. .. .. .. | ii. | 478 |
| A supernumerary First Assistant Magistrate must give, in a succinct form, a summary of the evidence taken before him, which is common to his department, and is done by other committing officers .. .. .. .. .. .. .. | ii. | 532 |
| Noticed a case of robbery, without force, by night, which, instead of being committed to the Sessions, might have been disposed of magisterially .. .. .. .. .. .. .. | ii. | 598 |

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| The release, on the requisition of the Session Judge, of prisoners sentenced by a Magistrate, was illegal .. .. .. .. | ii. | 604 |
| A Magistrate has no power by law to alter his own sentence, nor the Session Judge, as receiving officer, to annul it, and order the release by the Magistrate of prisoners sentenced by that functionary .. .. .. .. .. .. .. .. | ii. | 604 |
| If the sentence passed by a Magistrate were by the Session Judge considered too severe, he should have submitted the proceedings to the Sudder Court, with the ground upon which a mitigation of the sentence was considered called for .. .. .. | ii. | 604 |
| Noticed in a case of 'gang robbery, with force, by day,' that neither the Session Judge nor Assistant Magistrate took any evidence regarding the search of the prisoners houses, and the grain discovered there .. .. .. .. .. .. | ii. | 634 |
| A petition to Government against a Magistrate's order is referred to the Sudder .. .. .. .. .. .. .. | ii. | 656-657 |
| An accused Zemindar must, the language of Clause 1 Section 15 Regulation XV. of 1827 clearly implies, be tried by the Magistrate himself; and accordingly the conviction by a Deputy Magistrate of an accused Zemindar is illegal, nor can the confirmation of the Magistrate make it legal .. .. .. | ii. | 708 |
| Noticed instance in which a Magistrate should have referred a case of 'forfeiture of security' to the Sudder Court .. .. .. | ii. | 746 |
| A Deputy Magistrate had no power to pardon and employ as a witness, without the Magistrate's sanction, one who was evidently concerned in the crime of murder then under investigation .. | iii. | 51 |
| A Deputy Magistrate should, when prisoners are brought before him, arraign them on the charge preferred, and not reserve all mention of it till the close of his proceedings .. .. .. | iii. | 71 |
| A Magistrate is not competent to reduce the amount of a forfeited penalty, but must refer for that purpose to the Sudder .. | iii. | 116 |
| Noticed in a case of 'forcibly injuring the property of another,' that the fine imposed on the prisoner to be levied by distress must be remitted, as Act XVI. of 1850, under which it was imposed, applies only to stolen property .. .. .. .. | iii. | 117 |
| As fines may be made part of the punishment for offences coming under Section 42 Regulation XIV. of 1827, and a Magistrate is empowered by Section 13 Regulation XII. of 1827, to award the fine to the injured party, the Magistrate will experience no difficulty from the fact of the provisions of the Act not extending to all offences .. .. .. .. .. .. .. | iii. | 118 |
| Noticed instance in which a Joint Magistrate, in confirming the conviction of an Assistant, might very properly have mitigated the severity of his sentence .. .. .. .. .. | iii. | 118 |
| The restrictive order of a Magistrate rendering it compulsory upon a discharged prisoner, under threat of punishment, to sleep every night in the Chowree of his village, is annulled, as unreasonably affecting the personal liberty of a prisoner, who is represented in the return as being a householder .. .. | iii. | 119 |
| A Deputy Magistrate should not, as a committing officer, record he 'finds the prisoner guilty,' but should have recorded that 'he had sufficient evidence before him to justify the committal of the prisoner' .. .. .. .. .. .. .. | iii. | 122 |
| A Joint Magistrate must not find parties guilty of a crime, and then commit for trial. The verdict of the trying authority determines the guilt, not the magisterial inquiry .. .. | iii. | 129 |
| Noticed in a case of fraud, that however blameable is the delay in the conduct of the case by the magisterial department and Police, that that observed also in the return of a document by the Sessions Court is not explained .. .. .. .. | iii. | 156-157 |

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| A Magistrate who could not supply the Court with a translation of his Deputy's proceedings, should have submitted a summary of the evidence in English, and this he is requested to do on all future occasions .. .. .. .. .. .. .. | iii. | 171 |
| Noticed with regret, that the Magistrate should have treated, what was most probably a misfortune, as an offence against the criminal law .. .. .. .. .. .. .. | iii. | 202 |
| Disobedience of an order of a Magistrate .. .. .. .. | iii. | 219-222 |
| A Magistrate is requested to pay more attention to the preparation of his proceedings .. .. .. .. .. .. | iii. | 225 |
| A Magistrate stated that he did not consider it necessary to take the evidence of the prisoner's witnesses, and yet, without hearing them, records there is every reason to suppose they were in possession of the other stolen articles, regarding which he had precluded himself from making any remark .. .. .. | iii. | 241 |
| Noticed that a Magistrate postponed a decision for thirteen days, and the reasons recorded for his judgment, when that was pronounced, were not convincing.. .. .. .. .. | iii. | 241 |
| Attention is drawn to circular order No. 385, of the 22nd November 1848, forbidding the entry of the papers and proceedings received from the magisterial authorities as part of the record of a trial .. .. .. .. .. .. .. .. | iii. | 267 |
| Noticed an Assistant Magistrate's altering a charge, which was correct in the first instance, without recording any reason for his doing so .. .. .. .. .. .. .. | iii. | 283 |
| A Magistrate is requested to withdraw a notification under shelter of which murder is committed and attempted to be justified; and is at the same time informed that he is not empowered to issue proclamations, except in the matter specified in Section 19 Regulation XII. of 1827, when a copy of the injunction must be forwarded to the Sudder .. .. .. .. .. | iii. | 290 |
| The Sudder Court do not concur in the strictures of a Magistrate on the proceedings of a Mahalkuree, as far as these refer, to his having summoned the Police Patel, whose evidence is always valuable in criminal trials.. .. .. .. .. .. | iii. | 331 |
| The authority of Government was not required to bring prisoners to trial for a gang robbery committed within a Magistrate's jurisdiction.. .. .. .. .. .. .. .. | iii. | 334 |
| A Magistrate's report and proceedings failing to show that a party fined for contempt of Court, under the provisions of Act XXX. of 1841, made himself amenable to the penalties of that Act, their view of which the Court have notified in their circular order No. 371, of the 11th February, to extend to the use of menacing gestures or expressions in the presence of the presiding authority, the fine is to be restored .. .. .. .. | iii. | 340 |
| A Magistrate is informed that, if any unlawful obstruction of a road has been committed, or right of thoroughfare invaded, it is desirable he should proceed under Act XXI. of 1841, which is applicable to such cases.. .. .. .. .. .. | iii. | 343 |
| An injunction in the form of an answer to a petition cannot be considered to have the force of the order contemplated by Regulation XII. of 1827 Section 19, under which a prisoner was punished; and further, whether an injunction, under Section 19 Regulation XII. of 1827, be special or general, the law requires that a copy of it should be submitted to the Sudder .. | iii. | 343 |
| Noticed the neglect of a First Assistant Magistrate to examine the other witnesses in a case of robbery attended with murder.. | iii. | 364 |
| Registers of petitions submitted to the Sudder Court should show the pleas entered by the petitioners when on trial before the magisterial authorities .. .. .. .. .. | iii. | 385 |

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| Government observe that it is in the power of the Magistrate, in conformity with the regulations, to impose some restraint on the open carrying of arms in Guzerat by persons whose characters are not above suspicion .. .. .. .. .. | iii. | 401–406 |
| Noticed instance in which an Assistant Magistrate should have caused the prisoner's statements made before him to be authenticated by the certification and signature of two competent persons present .. .. .. .. .. .. .. | iii. | 417 |
| An Assistant Magistrate is in error in holding that the evidence of a wife against her husband is not legally admissible. The Judges of the Sudder have held it inexpedient to use it as a general rule, but cases may occur demanding a deviation .. | iii. | 417 |
| Noticed instance in which a Deputy Magistrate should have convicted the prisoners before him of robbery, with force .. .. | iii. | 428 |
| An order for the expulsion of a woman is cancelled, she being a native of the zillah whence it is wanted to expel her, but whence she is not amenable to expulsion under Section 28 Regulation XII. of 1827 .. .. .. .. .. .. | iii. | 432–434 |
| A Deputy Magistrate was wrong in having taken evidence in the absence of the accused .. .. .. .. .. .. | iii. | 457 |
| A Magistrate acting under Clause 8 Section 19 Regulation XII. of 1827 is competent to treat 'poles' as stray cattle .. .. | iii. | 462–466 |
| The conviction and sentence of a woman are annulled; but the Magistrate informed that he can proceed against her for robbery, if he think the charge can be supported by any evidence .. | iii. | 466 |
| Noticed instance in which a Deputy Magistrate should have taken the deposition of the Jemadar who arrested two of the prisoners in a case of robbery .. .. .. .. .. | iii. | 487 |
| A circular is to be issued to Magistrates withdrawing the instructions contained in the Court's circular letter No. 98, of the 9th January 1852 .. .. .. .. .. .. .. | iii. | 521 |
| A Deputy Magistrate's conduct in delaying to commit a prisoner is highly disapproved, as well as his want of despatch generally in disposing of the cases before him .. .. .. .. | iii. | 552 |
| A Magistrate is directed to report why a case committed for trial on the 29th December was not sent to the Sessions Court until the 2nd February following .. .. .. .. .. | iii. | 552 |
| Reference to the Magistrate on the propriety of his sentence, though frequently made by the Session Judge, is not absolutely required .. .. .. .. .. .. .. .. | iii. | 546 |
| Assistant Magistrates are requested to designate prisoners by their names, and not by their numbers only .. .. .. .. | iii. | 547 |
| A Magistrate having, on the reversal of a fine he had imposed, reported that it had been paid away and could not be recovered from the complainant, was reminded that had the precaution enjoined by circular order No. 440 been attended to, there would have been no difficulty in carrying out the order of the Court.. | iii. | 546–547 |
| The fine imposed on a surety for the forfeiture of a security bond is remitted at the recommendation of the Magistrate, and directed to be returned to the security .. .. .. .. .. | iii. | 568 |
| Noticed the illegal proceedings of a Superintendent of Police and First Assistant Magistrate, who, though neither of them vested with authority to pardon, yet promised pardon to a prisoner, and took his evidence as approver .. .. .. .. .. | iii. | 596–600 |
| An Assistant Magistrate who sent up to the Sessions Court certain bamboo sticks, with which a party is said to have been killed, should have sent up the peon also who found them .. .. | iii. | 662 |
| A Magistrate considering the sentence passed by a Deputy Magistrate too lenient, should have annulled the conviction, and committed the prisoner for trial before the Sessions Court.. | iii. | 669 |

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| The Court concur with the Session Judge's commendations upon the way in which a case of gang robbery was put before the Court by an Assistant Magistrate .. .. .. .. .. | iii. | 773 |
| Government direct that the Magistrate be called upon to inquire into and report regarding the conduct of the Ahmednuggur Police Force, with a view to such summary and severe examples being made as may tend to put a stop to similar disgraceful conspiracies.. .. .. .. .. .. .. .. | iii. | 791 |
| A Magistrate informed that the omission in his Assistant's record of a trial of any mention of his having fined a witness for prevarication was highly improper .. .. .. .. .. | iii. | 800 |
| The Court have held that Act XXX. does not apply to prevarications; and the Magistrate is directed to refer his First Assistant to circular order No. 371, which intimates the Court's opinion of the provisions of that Act to apply to menacing gestures or expressions in the presence of the presiding authority .. .. .. .. .. .. .. .. | iii. | 800 |
| An order for expulsion is cancelled as illegal, the prisoner being a native of the zillah whence it is sought to expel him .. .. | iii. | 814 |
| A witness is, for giving false evidence on a trial for murder, remanded to the Magistrate by the Sessions Court, that a charge of perjury may be preferred against him.. .. .. | iii. | 823–824 |
| A Deputy Magistrate's finding contains most extraneous matter .. .. .. .. .. .. .. .. .. | iii. | 853 |
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| The attention of a Magistrate is called to the inexcusable assault and ill-treatment of two persons by the Police .. .. .. | iii. | 876 |
| As in a trial for conspiracy, a charge of extortion should have formed a separate case; so an extract upon the proceedings of the trial is sent to the Deputy Magistrate, that he may hand up the prisoners for trial on a separate charge .. .. .. | iii. | 890 |
| A charge of bribery against a Police Karkoon ought to have been inquired into, and disposed of, by the Magistrate .. .. | iv. | 10–11 |
| A report is requested from the Magistrate upon the allegations of certain prisoners, in respect to their long confinement by the Foujdar, and the service extorted from them .. .. .. | iv. | 11 |
| The attention of a Magistrate is drawn to the plea of a prisoner on trial for murder as being similar to the plea advanced by another party on a separate trial for the same crime, reported at pages 287—290, vol. iii., of Morris's reports .. .. .. | iv. | 15 |
| A Magistrate is himself to commit for trial all such cases as are indicated in circular No. 471, of the 25th April 1853 .. .. | iv. | 23–25 |
| A Magistrate is informed that press of business cannot be admitted as a very special reason for his delegating a very grave criminal duty to a Deputy Magistrate, who is incompetent to discharge it with efficiency .. .. .. .. .. | iv. | 23–25 |
| A Magistrate should always inform the Sessions Court when he has rewarded a witness, and the Session Judge should record the information .. .. .. .. .. .. .. | iv. | 29 |
| A Magistrate is requested to instruct his Assistants that every case should be as perfect as possible in itself .. .. .. | iv. | 57 |
| A Magistrate should have fixed, which he has omitted to do in his proceedings, the period for which a surety is to be imprisoned in default of paying the fine, should the same become forfeited .. .. .. .. .. .. .. .. | iv. | 81 |
| A Deputy Magistrate's remarks on the bad character of a prisoner are not supported by its being shown that he had been previously convicted .. .. .. .. .. .. .. | iv. | 81–82 |

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| The finding or verdict of an Assistant Magistrate for 'receiving stolen property,' should have been 'guilty of receiving stolen property, knowing or having evident ground for suspecting it to be stolen, or fraudulently withheld from its owner' .. .. | iv. | 148 |
| A prisoner who had killed his wife should have been committed for murder, and it should have been left to the Sessions Court to judge of the degree of criminality involved .. .. .. | iv. | 156 |
| The Deputy Magistrate (Mr. Nana Morojee) was quite correct in committing certain parties for conspiracy; and the Sudder, cancelling the reprimand administered by the Sessions to that officer, to whose commitment no exception ought to have been taken, direct the Session Judge to communicate this (their decision) to Mr. Nana Morojee.. .. .. .. .. .. .. | iv. | 173 |
| A Magistrate is informed that a sentence in a case of fraud should have included a term of imprisonment in addition to the fine, as the regulation does not give the direction of an alternative policy. | iv. | 193 |
| A Deputy Magistrate, without the full powers of a Magistrate, is not empowered to award corporal punishment, and the confirmation of such a sentence by the Magistrate does not legalise it.. | iv. | 196 |
| Misconduct of a private of the Kolee Police Corps in falling asleep on his post while sentry on the Magistrate's jail.. .. | iv. | 278–281 |
| As the law applicable to resistance to legal process contemplates force in the resistance of 'process issued by a civil or criminal court,' the mere disobedience of a party to a simple injunction of a Magistrate to refrain from building on certain land, and subsequently to remove from off it, did not constitute an offence punishable by the Magistrate, under Section 25 Regulation XXV. of 1827 .. .. .. .. .. .. .. .. | iv. | 298–299 |
| On all occasions of reference to the Sudder with respect to the propriety of a Magistrate's conviction and sentence, the Session Judge should show whether the Magistrate approves or disapproves, and is authorised to carry out the amendment suggested by the Session Judge .. .. .. .. .. .. | iv. | 298–299 |
| The attention of the Magistrate is drawn to a village Mookhee's culpable neglect of duty .. .. .. .. .. .. | iv. | 328 |
| Noticed in a trial for murder, that the proceedings of the First Assistant Magistrate indicated that other evidence might have been adduced for the prosecution; but this was overlooked, and nothing was eliminated from the evidence, save the useless observations of the Police that the prisoners confessed .. | iv. | 338–339 |
| A Magistrate is requested to instruct his Deputy and Assistants, in all cases in which perjury is committed before several authorities, and finally before the Sessions Court, to make the offence before the Sessions Court the subject of the charge .. .. | iv. | 354 |
| A Zillah Magistrate has power to mitigate or annul the penalty of a security or recognisance bond exacted by one of his subordinates .. .. .. .. .. .. .. .. | iv. | 360 |
| A Session Judge on all occasions of referring to the Sudder Court for opinion with respect to the propriety of the conviction and sentence of a prisoner by the Magistrate, should be careful to show that the Magistrate does not approve of, nor is authorised to carry out, the amendment suggested by the Session Judge .. .. .. .. .. .. .. | iv. | 366 |
| In a dispute respecting a piece of ground, a Magistrate exceeded the authority vested in him by the law in disputes of this kind. | iv. | 376–377 |
| A Magistrate's attention called to the very reprehensible and improper conduct of a Rukwaldar, who admitted having sworn to the prisoner that no harm should come to him if he confessed and produced the property, and then went and denounced him to the complainant.. .. .. .. .. .. .. | iv. | 409 |

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| A Magistrate's order, confirming his Assistant's proceedings in a case of forfeiture of security bond, is annulled; and the case is remitted to be dealt with as the law directs .. .. .. | iv. | 421 |
| A Magistrate's attention is drawn to the conduct of the Police, who, professing to have searched a house, made no official search within it, the Duffadar and two Police Patels, who were present, never entering the house at all .. .. .. .. | iv. | 427 |
| Noticed instance in which there was a sufficiently *primâ facie* case against a witness to have warranted a Deputy Magistrate, by preparing the case with greater care, in committing him for trial. | iv. | 451 |
| The improper conduct of a Vakeel is brought to the notice of his superior—the Magistrate .. .. .. .. .. .. | iv. | 463–464 |
| An Assistant Magistrate should have taken evidence of the prisoner's identity with the parties named in the warrant .. | iv. | 491 |
| An Assistant Magistrate should have recorded the warrants of the prisoner's former convictions .. .. .. .. .. | iv. | 491 |
| A Session Judge is, in answer to his reference, informed that the Sudder can neither direct nor forbid any further prosecution of the individual referred to, and that the Magistrate must be left to act under his own view of the law .. .. .. | iv. | 502 |
| Day-labourers on public roads not being private servants, their punishment as such by a Deputy Magistrate, under Clauses 2 and 3 Regulation XII. of 1827, is annulled .. .. .. | iv. | 511 |
| A prisoner should have been tried on the charges on which he was committed by a Magistrate, or the Magistrate should have been requested to frame others .. .. .. .. .. | iv. | 527–528 |
| The act of an Assistant Session Judge in altering the charges on which prisoners were committed by a Magistrate is illegal .. | iv. | 527–528 |
| An Acting Magistrate is fully competent to annul a Deputy Magistrate's conviction, and to order proceedings to be taken afresh .. .. .. .. .. .. .. .. | iv. | 531 |
| Subsequent inquiry and conviction on a charge previously tried and disposed of by a Third Assistant Magistrate, in whose finding the Magistrate had concurred, were illegal .. .. .. | iv. | 551 |
| A Magistrate is requested to bring to the notice of his Deputy the omission to send with the case, as required by Clause 1 Section 37 Regulation XIII. of 1827, the second attesting witness to the admission of the prisoner before the Foujdar .. .. .. | iv. | 601 |
| A notice cautioning the people of Dharwar from riding or driving furiously in places of public resort within the town, is by the Sudder disapproved, the Magistrate not having shown sufficient ground for the necessity of issuing such a proclamation .. | iv. | 626 |
| Act XXX. of 1841 has been erroneously applied, under the circumstances of the case, to a party charged with 'obstructing a Magistrate in his proceedings' .. .. .. .. .. | iv. | 694–695 |
| Clause 8 Section 19 Regulation XII. of 1827 does not require that a proclamation should be issued by the Magistrate before impounding stray cattle .. .. .. .. .. .. | iv. | 721 |
| The attention of a Magistrate is directed to the ignorance displayed by the Police authorities, on the occasion of a murder, as to the purpose for which an inquest should have been assembled in such cases .. .. .. .. .. .. .. | iv. | 731–732 |
| The attention of the Magistrate is drawn to the compromise of crime said to have been permitted and encouraged by the Police, with a view to his adopting such measures as may prevent a recurrence of proceedings in the Police, so calculated to render nugatory the administration of the law .. .. .. .. | iv. | 740–743 |
| The attention of the Magistrate drawn to the Police who allowed a murderer to escape in the first instance, although he approached so near as to strike the Kotwal .. .. .. .. .. | iv. | 777 |

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| The conviction, by an Assistant Magistrate, of two persons charged with 'the infringement of the provisions of Act II. of 1845, regarding the press,' is by the Sudder Court upheld .. .. .. .. .. .. .. .. .. | iv. | 815 |
| A Magistrate informed that the case against a prisoner was so strong, as to make it matter of surprise that the charge was not so investigated and proceeded with as to secure conviction .. .. .. .. .. .. .. .. .. | iv. | 852-853 |
| A Magistrate is apprised of the remissness with which a Police peon, placed on guard at the house of a woman accused of murder, discharged his duty .. .. .. .. .. | iv. | 867 |
| In committing a party for aiding and instigating in a murder, the Assistant Magistrate should have stated in the indictment the particular acts constituting the instigating and aiding .. .. | iv. | 953 |
| The attention of a Magistrate is drawn to the length of time during which a prisoner has been under examination .. .. | iv. | 957-958 |
| Brought to the notice of a Magistrate the lax method adopted by the Deputy Magistrate, who, instead of detailing the heads of the information given by each witness, is in the habit of recording 'to the same effect as witness No. 29,' or 'deposes as No. 14' .. .. .. .. .. .. .. .. | iv. | 957-958 |
| Brought to the notice of a Magistrate the conduct of a Mookhee (Patel) who admits he perjured himself before the Court .. | iv. | 984 |
| Two witnesses in a trial for murder are forwarded to the Magistrate that a charge of perjury may be preferred against them .. | iv. | 984 |
| A Magistrate is informed that no proclamation can be issued unless founded upon law, as the proclamation does not make the law, but is only evidence of it .. .. .. .. | iv. | 988 |
| A proclamation prohibiting the sale of decayed and unwholesome grain, which the Magistrate himself admits to refer to grain which has the appearance only of being old, but not of good quality, cannot be upheld; it would only serve to influence prices in a direction opposed altogether to public interests .. | iv. | 988 |
| A Magistrate, in dissenting from the opinion of a Session Judge, should forward his reasons to that officer, that the officer might consider before resolving to submit them with his own opinion and proceedings to the Sudder .. .. .. .. .. | v. | 9 |
| A Magistrate should issue such notification as he considers necessary, and thereafter refer it to the Sudder, who, if they disapprove of it, will direct its call, or otherwise allow it to remain in force .. .. .. .. .. .. .. .. | v. | 24 |
| A Magistrate having, in correcting the illegal part of a Deputy Magistrate's decision, done nothing contrary to substantiate justice, the Court do not think it advisable to interfere .. | v. | 49 |
| A Magistrate had no power to forbid, even at the requisition of the Superintendent of Police, a native resident of the city of Poona from going within the camp limits of that city, nor to take security from him to that effect, the order for which is therefore annulled .. .. .. .. .. .. .. .. | v. | 50- 51 |
| A Magistrate is directed by the Sudder to annul an informal order on his Assistant requiring security, and to direct him, in re-taking security, to follow the course laid down in circular order Nos. 240 and 260 .. .. .. .. .. .. .. .. | v. | 53 |
| Sanctioned, on reference, the enforcement of a penalty of forfeiture involving a longer period of imprisonment than a Magistrate has authority to adjudge as a sentence .. .. .. .. | v. | 86 |
| Any remarks forwarded to a Magistrate on matters connected with a case on trial before the Session or Assistant Sesssion Judge, should be in the form of an extract from the proceedings, and not in that of a letter .. .. .. .. .. .. | v. | 91 |

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| The proceedings of a Magistrate, under Act XXI. of 1841, in respect to the encroachment of a building on the public road, were justifiable, in no way precipitate, and called for no interference.. .. .. .. .. .. .. .. | v. | 97 |
| A prisoner charged with forgery is directed to be remanded to the Magistrate, to be committed on a charge of 'secretly injuring the property of another' .. .. .. .. .. .. | v. | 112 |
| A Magistrate should have entertained the case of a woman illegally dispossessed of property, and if he did not fine the defendants, should have replaced her in possession until she was dispossessed in course of law .. .. .. .. .. .. .. | v. | 148 |
| The notice of a Magistrate prohibiting from fishing in, as well as dirtying, the waters of certain tanks, are disapproved; and the Magistrate directed to issue amended notices, omitting all allusion to fishing .. .. .. .. .. .. .. | v. | 17 |
| Ditto ditto ditto .. .. | v. | 224–225 |
| A party in possession of land of which he held a mortgage, should not, because his right of possession was contested by another, have been ejected by the Magistrate, who, instead of interfering, as he did, should have referred the non-occupying disputant to the civil court .. .. .. .. .. .. .. | v. | 226 |
| Application to the Magistrate for a piece of building-ground .. .. .. .. .. .. .. .. | v. | 228–232 |
| Section 40 Regulation XIV. of 1827, and Act XIII. of 1850, sanctioning flogging, there is no cause for interfering with the sentence of a Magistrate awarding that punishment in a case of embezzlement and felonious theft .. .. .. .. | v. | 228 |
| A Magistrate should act on his own view of the law, leaving parties who are dissatisfied to appeal .. .. .. .. | v. | 232 |
| A Magistrate ought not to have deputed to his Deputy the duty of informing prisoners of their committal, and of asking them whether they had any witnesses. He should have done this himself .. .. .. .. .. .. .. .. | v. | 272 |
| A Magistrate should not have taken a prisoner's statement as corroborative of the confession of his comrade .. .. .. | v. | 288 |
| A reward offered for the mere apprehension of a person a Magistrate should disburse; but a reward offered for apprehension and conviction, the Session Judge would, on the fulfilment of the terms, adjudge .. .. .. .. .. .. | v. | 326 |
| The proceedings of a Deputy Magistrate in a case of breach of agreement are annulled, he having no jurisdiction in the case.. .. .. .. .. .. .. .. .. | v. | 328 |
| A notification is returned unrecorded, as it should have been in the name of the Magistrate, and not of the Assistant Magistrate .. .. .. .. .. .. .. .. | v. | 333 |
| A Magistrate is requested to report how the monthly return shows that the prisoner was apprehended on the 1st November, while the proceedings show that he was apprehended on the 14th October .. .. .. .. .. .. .. .. | v. | 353 |
| A Magistrate's letter, giving a party pardon, should not have been recorded .. .. .. .. .. .. .. .. | v. | 410 |
| Magistrate's should notify to the people that the members of an inquest are not witnesses whose attendance is necessary before the Assistant Magistrates, and therefore, that when they have made their report, they can remain in their village until their attendance is required before the Session Judge .. .. | v. | 411 |
| Noticed instance of suspicion against a person on whose premises a murder was committed, with a view to the Magistrate's ascertaining whether the case has been properly disposed of as respects that individual .. .. .. .. .. .. | v. | 429 |

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| Noticed as an instance of bad management in the Magistrate, and of great hardship to the people, the sending for preliminary investigation, to a distance of one hundred miles, a case of murder which took place within a few miles of the town and Sessions Court of Dharwar . . . . . | v. | 456 |
| A Session Judge and Deputy Magistrate are called upon to explain, the one how he came to prepare, the other how he came to try and to convict upon a charge of perjury, which has no foundation whatsoever upon the deposition of the prisoner, in that that deposition does not show him to have made the statement with which he is charged . . . . . | v. | 460 |
| A Magistrate is directed to report how a case, charging a Police Jemadar with extortion, came to be delayed from the 5th July 1853 to the 9th March 1855, and whether the accused Jemadar was doing duty during that time. . . . . | v. | 594 |
| A Moonsiff who had doubts in a case of perjury, should not have made the committal, but ought to have sent the case to the Magistrate, who would have committed the case or not, as it might to him appear right. . . . . | v. | 598 |
| A Magistrate should not have disposed of an accusation of bribery, but should have entertained the complaint, and disposed of the case as he would of any other criminal charge . . . . . | v. | 537 |
| When a subject of the British Government, charged with having committed an offence in foreign territory, is apprehended and delivered up to the custody of the Magistrate, that officer shall report the case to Government. To observe the provisions of the Act is incumbent on the Magistrate alone; the Session Judge is not obliged to take any notice of it . . . . . | v. | 626–627 |
| If a Magistrate commit a British subject charged with an offence committed in foreign territory, the Session Judge must try the case, and if the charge be proved, must punish for it, for the offence is penal under Section 2 of Act I. of 1849 . . . . . | v. | 626–627 |
| Noticed a Deputy Magistrate's acquittal of certain parties on wrong grounds . . . . . | v. | 636 |
| An Assistant Magistrate should not have asked prisoners on trial before him any questions but whether they were guilty or not guilty, and whether their statements were true or not . . . . . | v. | 655–656 |
| The conduct of an Assistant Magistrate is condemned as reprehensible and indiscreet . . . . . | v. | 673–677 |
| A Magistrate who sentenced, under Act XXX. of 1841, to a month's imprisonment a party charged with obstructing the course of public justice in another court, could never have read the Act referred to when he tried the case or passed the sentence, neither of which the Act in question contemplates nor sanctions . . | v. | 680 |
| A Magistrate should always enter the charge upon which he commits a prisoner, as it prevents the possibility of a doubt . . | v. | 702 |
| Brought to the notice of a Magistrate, for present correction and future prevention, the most reprehensible conduct of a Mookhee in obtaining confession by a promise of pardon. . . . . | v. | 729–730 |
| A Magistrate is requested to call upon a Superintendent of Police to explain his proceedings, and state the order he really gave a witness in a case of conspiracy . . . . . | v. | 738 |
| A confession made by a prisoner before the Assistant Magistrate should have been proved before the Session Judge, and recorded for the prosecution. . . . . | v. | 782 |
| A Police Amuldar is as competent to receive a confession as an Assistant Magistrate . . . . . | v. | 823 |
| A Magistrate need never, in cases he will not decide himself, examine attesting witnesses, or witnesses to an inquest report, or the surgeon . . . . . | v. | 824 |

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| A Magistrate is informed, that compelling persons to sleep at the Chowree has been objected to and prohibited in some cases, but that need not prevent him from adopting it, should there be no objection apparent to his having recourse to it .. .. | v. | 835 |
| Disapproved a Session Judge seeking to punish, without the intervention of the Magistrate, parties charged with obstructing the peons of the Sessions Court in the execution of their duty, and who had been, for that offence, arraigned before, and acquitted by, the Deputy Magistrate, to whom the Session Judge himself had, in the first instance, very properly referred the case .. | v. | 850 |
| When a Magistrate's power to confine a daring offender is about to lapse, he should apply to the Court for authority to detain him in jail for a further period if he should then consider it necessary .. .. .. .. .. .. .. .. | vi. | 35 |
| When complaint of a robbery having been committed is brought before a Police officer or Magistrate, it is not the duty of those officers, in the first instance, to require the complainant to establish the fact that he was ever possessed of the property, as in that case the robbers might escape; but to apprehend the persons supposed to have committed the crime, and if they prove their innocence, or throw suspicion on the complainant, it is then time enough to inquire whether his charge is not utterly groundless .. .. .. .. .. .. .. | vi. | 63 |
| Noticed instance in which, on the petition of a party who had a copy of a registered bond, the Magistrate ought to have called upon the opposite party to produce the original, and have ascertained whether, as petitioner complained, it was a forgery or not. | vi. | 64 |
| An Assistant Magistrate's order annulled .. .. .. .. | vi. | 41– 43 |
| The proclamation of a First Assistant Magistrate prohibiting, on the requisition of the Conservator of Forests, fish from being poisoned, is considered premature, the season of the year being past to which it would apply, and the Magistrate of the zillah absent, until whose return it might well be deferred .. .. | vi. | 78 |
| Disobedience of the orders of the Sudder Adawlut by a Magistrate.. | vi. | 89– 98 |
| A Magistrate, on recommending the remission of a penalty imposed by himself, is told that the Court decline to interfere, except on petition of the party concerned .. .. .. | vi. | 129 |
| An Assistant Magistrate ought, when committing a prisoner, to detail the charge on which he is committed; not write 'committed on the charge preferred against him' .. .. .. | vi. | 138 |
| Noticed the failure of an Assistant Magistrate to record in English that the prisoner has been asked whether he has any witnesses to call for the defence before the Sessions Court .. | vi. | 138 |
| A security is not released from responsibility the very day that the time for which he is bail expires. A reasonable time must be allowed the Magistrate to ascertain whether, within the last few days, for which he was bound, any forfeiture was incurred. | vi. | 145 |
| Noticed instance of delays in an offence committed on the 19th not being taken up by a Deputy Magistrate until the 30th.. .. | vi. | 169 |
| Magistrate's order on a complaint of encroachment.—Abajee wulud Kundooba, and another .. .. .. .. .. | vi. | 170–172 |
| Pointed out a Magistrate's error in construing circular No. 302, of the 11th December 1855 .. .. .. .. .. | vi. | 170 |
| A Joint Magistrate is informed that, if the powers vested in the Sub-Collector by law are not sufficient for the collection of the revenue, he should apply to the Legislature to have those powers extended .. .. .. .. .. .. .. | vi. | 188 |
| A Joint Magistrate should not countenance in his subordinates, or attempt to palliate their taking upon themselves, powers which the law does not give them .. .. .. .. | vi. | 188 |

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| It is only in cases not within the final jurisdiction of a Magistrate that a discharge by that authority does not amount to an acquittal. | vi. | 193 |
| In cases in which a Zillah Judge has no original jurisdiction, he could not, under the regulation, put parties on their trial until they had been committed by the Magistrate .. .. .. | vi. | 193 |
| It is not competent to a Magistrate to decline to inquire into an accusation of crime committed within his jurisdiction, it resting with him to dismiss the charge, should it turn out, for any sufficient reason, not to be tangible .. .. .. .. | vi. | 205 |
| The Magistrate is only required to take sufficient evidence to satisfy himself that there is a case for the Sessions, though he ought to ascertain where all the evidence likely to be required by the Session Judge is to be found .. .. .. .. | vi. | 235 |
| The evidence of the Civil Surgeon should, in cases to be decided and disposed of finally in the magisterial department, be taken upon oath; but the report of that officer is sufficient in cases of committal to the Sessions Court; because, if necessary, the Session Judge can call upon the Civil Surgeon to give his evidence in regular form .. .. .. .. .. .. | vi. | 235 |
| An Assistant Magistrate's decision confirmed .. .. .. | vi. | 254–255 |
| A Magistrate is recommended not to waste time in inquiring into cases of bad cotton, unless upon complaint preferred by the parties themselves upon whom fraud has been attempted, or been practised, in respect to cotton .. .. .. .. .. | vi. | 264 |
| Noticed the delay of a Police officer and Assistant Magistrate in the conduct of a case of murder. The corpse was found, and inquest held, on the 21st December; all the evidence might have been complete on the 22nd December; but the case was not sent up to the Assistant Magistrate until the 22nd January, nor tried until the 2nd April.. .. .. .. .. .. .. | vi. | 275 |
| A party having, but refusing, to adduce before a Deputy Magistrate, statements in defence of his conduct, has himself only to blame for not conforming to the laws .. .. .. .. .. | vi. | 284 |
| A Session Judge and Magistrate have not the power, as *criminal* authorities, to make the investigation alluded to in Section 52 Regulation IV. of 1827, which refers to resistance by any one of the process of a civil court .. .. .. .. .. | vi. | 295 |
| A Deputy Magistrate should require from the Police proof that a robbery has been committed, and some further evidence against a man than the testimony of two women, who, just awoke from sleep, concur in recognising the robber as a neighbour, and his dress, *a bare head and dhotur* .. .. .. | vi. | 320 |
| Assistant Magistrates can keep their English records in the way each one likes best; it must contain, however, every information connected with the case, and show that the Assistant Magistrate understands it, and does not merely translate the depositions, and wind up, after finishing a catalogue of the witnesses, with 'prisoners are committed on the foregoing evidence for trial to the Sessions Court, before which they intimate they have no witnesses to call' .. .. .. .. .. .. | vi. | 346–347 |
| It is quite sufficient for the Assistant Magistrates to record in English the name of the witness and as much of his deposition as he thinks fit, or as little as he pleases, and no more than is absolutely necessary to elucidate the case .. .. | vi. | 346 |
| A Deputy Magistrate should not return cases to the District Police Officer for the purpose of altering the charge, but should alter it himself .. .. .. .. .. .. .. | vi. | 380 |
| Brought to a Magistrate's notice instance of a Police Patel appearing to have been one of the principal actors in an affray in which a man was killed .. .. .. .. .. .. .. | vi. | 392 |

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| Noticed that a Deputy Magistrate does not, after he commits prisoners, ask them, as he should do, whether they have any witnesses to call .. .. .. .. .. .. .. | vi. | 481–482 |
| A Magistrate having failed to give reasons for the imprisonment of three persons, their release is ordered.. .. .. .. | vi. | 484 |
| A prisoner is to be at once released, he having already been imprisoned one year, for having, on the Magistrate's showing, prevaricated as to his residence .. .. .. .. .. | vi. | 488 |
| A Magistrate's attention is drawn to circular order No. 403, of the 7th July 1849, and he requested, in accordance therewith, to caution the public against the danger and folly of allowing children to be at large and unprotected when loaded with valuable ornaments .. .. .. .. .. .. .. | vi. | 520 |
| A Third Assistant Magistrate having sentenced a prisoner for assault, the Magistrate cannot annul the sentence and enhance the punishment; he can only, in such a case, commit the prisoner for trial .. .. .. .. .. .. .. | vi. | 597 |
| A resolution is recorded on the Magistrate of Ahmedabad ordering a report of his conduct to be made to Government.. .. | vi. | 661 |
| The endorsement by a Magistrate on the warrant of a prisoner, ordering the prisoner, at the expiration of his sentence, to find security, or undergo, in default, a further imprisonment of seventeen months, is improper. The Magistrate ought to confirm his Assistant's sentence of imprisonment, and request that the prisoner may be sent to him on its expiration, in order to precautionary measures being taken .. .. .. .. | vi. | 687 |
| All sentences above three months passed by an Assistant Magistrate, shall be first referred to the Magistrate for confirmation .. .. .. .. .. .. .. .. .. | vi. | 806 |
| A Police Amuldar being as competent to receive a confession as an Assistant Magistrate, a prisoner should not, on making a confession before any of the magisterial authorities, be sent off in order that he may confirm the same before the Magistrate himself, or one of his European Assistants .. .. .. | vi. | 823 |
| A Deputy Magistrate is directed to refer to prisoners by their names, and not merely by their numbers .. .. .. | vi. | 823 |
| The Court refuse to interfere in a Magistrate's order for furnishing security until the order is carried out .. .. .. .. | vi. | 824 |
| Noticed a Deputy Magistrate's failure to ascertain points which might have been of essential influence in the case .. .. | vi. | 872 |
| A Magistrate and Superintendent of Police have no power to banish a man the zillah, except on his failing to furnish security .. .. .. .. .. .. .. .. | vi. | 885 |
| A torture case should not be tried at all by a Deputy Magistrate. | vi. | 888 |
| A Magistrate cannot decline to inquire into a charge within his jurisdiction to dispose of, and an application to the Government or Political Agent in a neighbouring state cannot give him jurisdiction if he do not, as a Magistrate, possess it .. .. | vi. | 914 |
| An Assistant Magistrate having convicted certain Hindoos of breach of their religious law, and sentenced them, without referring to the proper law officer for an opinion, as prescribed by Section 9 Regulation VIII. of 1831, the sentences are annulled, and the fines remitted .. .. .. .. .. .. | vii. | 27– 28 |
| A recognisance bond having been taken by a party to refrain from certain acts which do not come within the category of those which a Magistrate has authority by law to forbid, the bond is cancelled .. .. .. .. .. .. .. .. | vii. | 188 |
| Noticed case in which, if the Assistant Magistrate thought a case of robbery would not hold, he should have altered the charge before he came to record his finding .. .. .. .. | vii. | 207 |

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| A Magistrate alone has power to convict and punish under Act XVII. of 1854 (the Post Office Act), and though the punishment which may be awarded under this Act exceeds that which a Magistrate has power to inflict in other cases, yet, in those to which the Act refers, he can award punishment to the extent laid down in the 54th Section of that Act .. .. .. | vii. | 237-238 |
| Noticed so many contradictions in the evidence of the witnesses, and in the finding of an Assistant Magistrate, as to render it impossible to uphold conviction .. .. .. .. | vii. | 248 |
| A Magistrate alone having power to convict and punish under Section 54 Act XVII. of 1854 (the Post Office Act), the proceedings of an Assistant Session Judge, held under that Act, are, for want of jurisdiction, annulled.. .. .. .. .. | vii. | 258 |
| A prisoner convicted of offences committed in the village of Akulcote, and tried by the Magistrate and his Assistant for an offence committed beyond their jurisdiction, and sentenced by a magisterial warrant to imprisonment in the jail of Sholapore, is ordered to be released as illegally confined .. .. .. .. | vii. | 274 |
| A Magistrate informed that, if he applies with due discretion the instructions contained in the Court's circular No. 244, of the 13th August 1841, which is intended to guard against the arrest of accused persons on insufficient grounds, with the instructions sent him on the 14th January 1857, to guard against the dismissal of complaints on insufficient grounds, he will not find them clash, nor that it will be necessary to harass the innocent by arrest on unfounded charges, or to stifle inquiry, because a party (a stranger) has no proof at hand of his ownership of property alleged to have been stolen from him .. .. .. | vii. | 302 |
| As custom-house officers have invidious duties to perform, such as may lead men to tempt them with bribes, it is very necessary that they should be protected from temptation, and those who tempt them punished; but Magistrates must very carefully see that custom-house officers do not, by exceeding their powers, induce men to offer them money, or, by bringing false charges of bribery, procure for themselves an immunity from suspicion, and the natural result—the means of taking bribes with impunity.. | vii. | 317-318 |
| Pointed out the true reading of Act. XIX. of 1838, which a Joint Magistrate has mistaken in inflicting a fine of ten times the amount contemplated upon a party employing a fishing-boat without certificate of registry .. .. .. .. .. | vii. | 343 |
| The trial and sentence of certain British subjects tried and sentenced in the Rewa Kanta state for forgery committed within British territory, but altered in the Rewa Kanta, are annulled, and directions given to have the prisoners made over to be tried by the Magistrate of Kaira and Session Judge of Ahmedabad, before whom the Dufturdar of the Rewa Kanta state can, through the Political Agent, be invited to attend to conduct the prosecution.. .. .. .. .. .. .. .. | vii. | 372-373 |
| A Magistrate is informed that his report in English should have been made in return to the Court's precept .. .. .. | vii. | 444 |
| Noticed the record by a Deputy Magistrate of a great deal of hearsay, which is of no use but to mislead .. .. .. | vii. | 476 |
| The order of a Magistrate calling upon parties to act up to a former notice, of the existence of which they may have been ignorant, is annulled, and the Magistrate directed, if he see fit, to proceed anew against the parties .. .. .. .. | vii. | 487 |
| A Magistrate having appointed a 'punchayet' to report on a nuisance, was bound, by Section 3 Act XXI. of 1841, to abide by its decision. He could not, disapproving of the finding of the punchayet, appoint another to re-examine a matter already settled. | vii. | 499 |

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| A Magistrate is requested to make his returns on the precepts, not on a separate sheet of paper .. .. .. .. .. | vii. | 499 |
| Appeal against an order of a Magistrate giving possession of property .. .. .. .. .. .. .. .. | vii. | 525-535 |
| A Magistrate is informed, that in the absence of any one proving a better title to it, that property belongs, of course, to the person in whose possession it was found.. .. .. .. .. | vii. | 562 |
| A Magistrate is, in respect to some property within his court, informed that he can adopt the views already given him by the Sudder, or act in any other way, and make the property over to any other person, if he think such person has the better right, and feel that he can justify his proceeding, should it be hereafter questioned .. .. .. .. .. .. .. .. | vii. | 565 |
| A part of the Joint Magistrate's business is to see that the Police and villagers do their duty, and not to apply to the Sudder Court to exercise their power for the detention of a prisoner, that the villagers and Police may, with greater ease and comfort, be negligent .. .. .. .. .. .. .. .. | vii. | 568 |
| In a dispute regarding property, the Magistrate ought not to have gone into the question of ownership. If a party in possession locked up a house, he who, during his absence, put a lock over it should be obliged to remove it, and be referred to the civil court to establish his claim .. .. .. .. .. | vii. | 613-614 |
| A Joint Magistrate cannot be allowed to send to the Court his comments on their orders; if he think they are given under a mistake, he might point out the mistake; and if he think himself aggrieved by their remarks, he should appeal to Government .. .. .. .. .. .. .. .. | vii. | 662 |
| Noticed instance in which a Deputy Magistrate's finding is more an invective against the prisoner than the impartial opinion of a man set to weigh the evidence of a case .. .. .. | vii. | 722 |
| A Magistrate was distinctly told that property, in the absence of any one proving a better title to it, belongs, of course, to the person in whose possession it was found; yet, by giving it, or a part of it, to him who, the Magistrate thought was the lawful proprietor of it, he has complicated the case, and rendered himself and the other party liable to be sued for its restoration .. .. .. .. .. .. .. .. .. | vii. | 735 |
| Noticed instance in which all that a Magistrate had to do when a prisoner was acquitted, in whose possession property had been found, was to see the property placed in the same position as it was before the prisoner was taken up, and to have left those who thought they had any claim to it, to establish their claim by a civil suit .. .. .. .. .. .. .. | vii. | 735 |
| An assault by certain of the Police, which a Magistrate calls petty, the Government consider serious, and order the instant dismissal of the Policemen .. .. .. .. .. .. .. | vii. | 754-755 |
| A Magistrate, on being instructed to withdraw an order of Mr. Forjett to the Belgaum Police, is informed that this does not prevent his issuing any order that might tend to encourage the Police, provided it does not, as Mr. Forjett's order, hold out a premium to shed blood .. .. .. .. .. .. | vii. | 758-759 |
| A Session Judge should make himself acquainted with all that the several witnesses deposed to before the Magistrate.. .. | vii. | 765-766 |
| If a Session Judge is not able to obtain from witnesses the same information as they gave before a Magistrate, he should show that his failure was not attributable to examination, but to some other cause .. .. .. .. .. .. .. .. | vii. | 766 |
| A Session Judge should have recorded his own finding, and not have recurred to the Magistrate's remarks .. .. .. | vii. | 768 |

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| A Session Judge, when his opinion is at variance with that of a Magistrate, should submit his observations, in the first instance, to the Magistrate for any remarks that he might have to make upon them, and these remarks should be forwarded to the Court with the proceedings .. .. .. .. .. | vii. | 780 |
| A case in which a party was charged with appropriating property by breach of trust, appearing to be a purely mercantile transaction, cognisable only by a civil court, the Magistrate had no jurisdiction, and his order is therefore annulled, and the fine directed to be returned .. .. .. .. .. .. | viii. | 21 |
| Sanction to defray any expenditure incurred in demolishing an old and ruinous building used as a place of concealment for thieves, should be preferred after the Magistrate has removed the materials .. .. .. .. .. .. .. | viii. | 29 |
| A Shastree's illness is no reason for dispensing with his exposition in cases in which his exposition, as a law officer, is required; and, being ill, the Magistrate should have waited for his recovery before proceeding to pass sentence on the prisoner .. .. | viii. | 65 |
| A Magistrate should not have proceeded to pass sentence upon a prisoner under Paragraph 7 Clause 1 Section 1 Regulation XIV. of 1827, without having obtained the exposition of the law officer, as required by Section 14 Regulation XII. of 1827.. .. .. .. .. .. .. .. .. | viii. | 65 |
| A Magistrate's sentence is annulled in a case in which he ought to have, but did not, refer for the opinion of the Shastree.. .. | viii. | 65 |
| Noticed in reference to a dispute regarding a house, that the Magistrate and his Deputy have no power to give possession of immovable property to any one .. .. .. .. .. | viii. | 109 |
| Certain parties refusing to grant carts at the requisition of a Magistrate, while other parties granted them cheerfully, there was no necessity to put the regulations into force against the former, the fines levied upon whom are ordered to be returned .. .. .. .. .. .. .. .. | viii. | 170 |
| The Magistrate ought to give a copy of the sentence or order in every case to a convict or petitioner, as without that an appeal cannot be received.. .. .. .. .. .. .. | viii. | 178 |
| In fining villagers for 'neglect and misconduct,' in allowing robbers to remain in their village for about an hour plundering a fellow-townsman, without affording him any aid, the Court direct the exemption of eight female householders, who, they observe, the Magistrate ought to have exempted from the fine when the case came before him .. .. .. .. .. | viii. | 178 |
| An Acting Session Judge's remarks in the last paragraph but one of his proceedings are disapproved as objectionable and entirely useless, and he is directed to send a copy of the Sudder Court's proceedings to the Magistrate, lest he should be induced to act upon the Session Judge's suggestions .. .. .. .. .. | viii. | 252-254 |
| A Magistrate's order for the removal of a veranda is directed to be confined to the eight-inches of encroachment which the punchayet, or committee, pronounce to have been made on the public road .. .. .. .. .. .. .. | viii. | 260 |
| A Magistrate should be more careful in the preparation of his monthly returns, an entry in which drew attention, and the unnecessary call for certain proceedings .. .. .. | viii. | 268 |
| A Magistrate is referred to sue the Magistrate in the civil courts for the loss he has sustained .. .. .. .. .. | viii. | 351 |
| A petitioner is referred to the civil courts to sue the Magistrate and another party for the restoration of his property .. .. | viii. | 356 |
| A Magistrate having assigned no reason why a prisoner should be detained, the Court cannot sanction his request.. .. .. | viii. | 359 |

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| A First Assistant Magistrate, when committing a prisoner for trial before the Sessions Court, should not record a conviction beforehand .. .. .. .. .. .. .. .. | viii. | 584 |
| Petition that a charge against a Mamlutdar may be referred to other authority than the Magistrate, who refused to hear the appeal .. .. .. .. .. .. .. .. | viii. | 617–620 |
| Noticed that an Assistant Magistrate should not, when committing a prisoner, record that he finds him guilty, but should record upon the evidence, 'I commit the prisoner to take his trial before the Session Judge' .. .. .. .. .. | viii. | 670 |
| A Magistrate is directed to amend, as he was competent to do, his order as to security .. .. .. .. .. .. | viii. | 681 |
| Noticed a Magistrate's omission to record in English, and his not recording distinctly in Murathee, the conviction and sentence of a prisoner .. .. .. .. .. .. .. .. | viii. | 687 |
| Held in the case of a discharged sepoy (a dangerous character), who, sentenced by court martial to imprisonment with hard labour for one year, was, on the expiration of this sentence, sent to jail for a year, on being unable to furnish security for his good conduct, that 'it is not imperative on the Magistrate to expel a man who is not a native of the zillah, and that the Court would not, in this matter, interfere .. .. .. .. .. | viii. | 712–713 |
| A prisoner convicted of fraudulently appropriating public money, having presented in his defence an order under the seal and signature apparently of the Mamlutdar, the order is sent to the Magistrate, and he directed to report upon it as bearing upon the present case .. .. .. .. .. .. .. | viii. | 750 |
| A Magistrate's attention is drawn to the discrepancy in the Murathee version of a charge for murder, whereas that in English is carefully and correctly drawn up .. .. .. | ix. | 29 |
| There was nothing illegal, and it was competent in the Magistrate, having annulled the sentence of the Deputy Magistrate upon the first count, to direct him to proceed upon the second count of the charge .. .. .. .. .. .. .. | ix. | 47 |
| An Assistant Magistrate should not, in committing a prisoner, record 'the prisoner is found guilty, and committed to the Sessions for trial' .. .. .. .. .. .. .. | ix. | 71 |
| A Session Judge has no authority, under Section 3 Regulation VIII. of 1831, to order a Magistrate to mitigate his sentence .. .. .. .. .. .. .. .. | ix. | 72 |
| Noticed the extraordinary irregularity of a First Assistant Magistrate, including the evidence of two prisoners in one deposition .. .. .. .. .. .. .. .. | ix. | 80 |
| A petitioner's expulsion not having been made in proper form, he is at liberty to return whence expelled; and the Magistrate is at the same time informed, that if circumstances still require the man's expulsion, he should take care and adhere to the regulations .. .. .. .. .. .. .. .. | ix. | 85 |
| Observed, that if the principle were recognised which influenced the Acting Joint Magistrate, that the parties acquitted on a trial might injure those by whom they had been prosecuted, every person might be called upon after acquittal to find security to keep the peace towards the witnesses for the prosecution. | ix. | 162 |
| The Magistrate ought not to have annulled the committal made by his Assistant, even if the regulation quoted was not applicable to the case; for the committal was not illegal, though the prisoner might be innocent, or the charge not tenable .. | ix. | 179–180 |
| A Magistrate's order annulling the committal made by his Assistant, is annulled, the committal not appearing to be an illegal one .. .. .. .. .. .. .. .. .. | ix. | 180 |

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| Noticed in a case of robbery, with force, by day, that the Deputy Magistrate's procedure through the case was right, and the Magistrate's wrong .. .. .. .. .. .. .. | ix. | 196 |
| A Magistrate, when he annulled the sentence of his Deputy, ought to have committed the accused for trial at the Sessions, as pointed out to him by the Deputy Magistrate .. .. .. | ix. | 196 |
| A Magistrate erred in putting a man into possession of any part of a field which was under cultivation, and of the crop upon it, the order for execution being, that if the land was not under cultivation, it should be made over to him. The Court therefore direct the restoral of the grain to him from whose possession it was taken, leaving both parties to sue, if they desire it, in the civil courts: one for the damage that may have been done in the removal of the crop, the other for any damage he may have sustained by being improperly put out of possession of the field.. .. .. .. .. .. .. .. .. | ix. | 213–214 |
| Noticed that an Assistant Magistrate does not, when he commits prisoners, ask them whether they have any witnesses to call before the Sessions Court, which he is, by the regulations, bound to do.. .. .. .. .. .. .. .. | ix. | 230 |
| Held, with reference to the trial of certain inhabitants of the Konkun for omitting to convey intelligence to the authorities of the resort to their village of mutineers or deserters, that Regulation VI. of 1810 of the Bengal Code cannot be applied to them, and that to try them under Act XVII. of 1857, the Judge and Magistrate must have been vested, which they are not, with the official powers which that Act requires .. .. .. .. .. .. .. .. | ix. | 247–249 |
| A Magistrate is referred to Clause 3 Section 24 Regulation XII. of 1827, and advised to release a prisoner on his own recognisance to refrain from assaults, &c. under penalty of solitary imprisonment, or imprisonment with hard labour .. .. .. | ix. | 362–363 |
| Noticed on a trial for murder, that the Session Judge and Magistrate omit to give any reason for not taking the evidence of a person which was requisite to conclude the chain of evidence .. .. .. .. .. .. .. .. | ix. | 377 |
| Noticed as surprising, that in a clear case of attempt at murder, a First Assistant Magistrate should have committed the prisoner to take his trial for serious assault only .. .. .. .. | ix. | 437 |
| An Acting Magistrate is informed, that when a report is called for, he should not send up the proceedings .. .. .. .. | ix. | 458–465 |
| Noticed instance of an Assistant Magistrate proving the confessions as evidence for the prosecution, and recording them for the defence .. .. .. .. .. .. .. | ix. | 472 |
| An attempt to render the law nugatory, by an exclamation held to convey a threat, could not be construed to have that effect, unless it were conceded that the Magistrate was likely to be influenced by such an exclamation .. .. .. .. .. .. | ix. | 478–479 |
| A Session Judge not having proceeded as contemplated in Section 3 Regulation VIII. of 1827, when referring to the Sudder for opinion in a case in which he considered the Magistrate to have been at fault, the case is remitted to the Session Judge, and he directed to proceed according to regulation .. .. .. | ix. | 479 |
| The sentences confirmed by a Magistrate on prisoners undergoing a longer imprisonment than the full penal jurisdiction an Assistant Magistrate is competent to adjudge are annulled; but the prisoners are directed, at the expiration of their former sentence, to be returned to the Magistrate for trial on the fresh charges, or for release, as to the Magistrate might then seem proper .. .. .. .. .. .. .. .. | ix. | 481 |

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| An Acting Magistrate is informed, that a sentence not being his own, but merely a modification of one passed by his Deputy, he need not have issued a fresh warrant, but have endorsed upon that used by his Deputy how much he confirmed and how much he disallowed of it.. .. .. .. .. .. .. | ix. | 492 |
| Noticed the irregularity of an Assistant Magistrate in cancelling depositions once made .. .. .. .. .. .. | ix. | 523 |
| A prisoner charged with murder and convicted of culpable homicide, not being in that state of mind in which it would be safe to release him unconditionally, is remanded to the Magistrate, to be dealt with according to the provisions of Section 41 Regulation XIII. of 1827.. .. .. .. .. .. | ix. | 544 |
| The whole of the proceedings and trial in a case of treason are annulled, and the Acting Session Judge directed to return the prisoner to the Magistrate, in order that he may proceed against him according to the provisions of Act V. of 1841 .. .. | ix. | 585 |
| Noticed as very reprehensible, the tone, remarks, and bad-feeling of a Deputy Magistrate (a Brahmin) in reference to the caste of the prisoner (a Mhar), and the disproportionably severe sentence he has passed upon him, of which so much as has not expired is annulled .. .. .. .. .. .. .. .. | ix. | 591 |
| A Magistrate should, for the very reason of delay that he objects to in bringing forward a case, have reversed the decision of the Deputy Magistrate.. .. .. .. .. .. .. | x. | 11– 12 |
| A Magistrate having inadvertently confirmed a sentence heavier than the Deputy Magistrate could, under Section 39 Regulation XIV. of 1827, award, submits the case to the Sudder, who annul accordingly so much of the sentence as exceeds the limit which that law prescribes.. .. .. .. .. .. .. | x. | 51 |
| Noticed the most discreditable manner in which a case has been prepared by a Deputy Magistrate, and his not sentencing, as he should have done, the prisoner to hard labour .. .. .. | x. | 62 |
| Noticed that a case of 'appropriation of property by breach of trust' ought to have been committed to the Sessions, and not to have been disposed of summarily by the Deputy Magistrate. | x. | 63 |
| A Magistrate is informed that a case of 'robbery, with force, by night; and detaining a person in unlawful confinement by force,' ought to have been committed to the Sessions, and not left to be disposed of by a Deputy Magistrate .. .. .. .. | x. | 80 |
| Noticed the record by a Deputy Magistrate of much hearsay and much useless evidence .. .. .. .. .. .. | x. | 80 |
| The entertainment of foreigners as servants by the natives of Dharwar is prohibited, without permission from the Magistrate, his Assistants, or the Superintendent of Police .. .. .. | x. | 84– 85 |
| Noticed instance in which a Magistrate might have, with propriety, mitigated the sentence of the Deputy Magistrate .. .. | x. | 103 |
| Noticed as strange a Magistrate's attention not having been drawn to his Deputy's observations on the first statement of the prisoner, and the suspicions it excites as to the truth of the charge, and which should have warranted the prisoner's acquittal .. .. .. .. .. .. .. .. | x. | 119 |
| A Joint Magistrate is requested to state the amount of security required from the prisoner, which he has omitted to enter in the proceedings.. .. .. .. .. .. .. .. | x. | 145 |
| Noticed as careless the proceedings and committal of a First Assistant Magistrate .. .. .. .. .. .. | x. | 155 |
| An order of a Magistrate issued in opposition to the decision of a punchayet, held under Section 3 Act XXI. of 1841, is reversed. | x. | 199 |
| An Assistant Magistrate should not have interfered in the possession of property otherwise than by referring the parties to a civil suit. | x. | 304 |

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| Noticed an Assistant Magistrate omitting to ask a prisoner if he had any witnesses to call .. .. .. .. .. .. | x. | 347 |
| A Magistrate is directed to pass for the offence of levying 'undue exactions' a sentence of imprisonment and fine, in conformity with the requirements of the regulation .. .. .. .. | x. | 378 |
| The attention of an Assistant Magistrate is called to printed circular No. 251, of the 9th October 1841, directing that corporal punishment be not carried into effect, if circumstances permit, until sufficient time has elapsed for a reference to the Sudder .. .. .. .. .. .. .. .. | x. | 471 |
| The flogging ordered by an Acting Second Assistant Magistrate is annulled, he not being vested with the full powers of a Magistrate, and consequently not competent to award flogging .. | x. | 472 |
| A District Deputy Magistrate is instructed to recapitulate the charge on conviction .. .. .. .. .. .. | x. | 498 |
| The attention of a Deputy Magistrate is to be drawn to circular No. 491, which requires, in cases of perjury, the very words uttered by the accused to be stated in the charge .. .. | x. | 561 |
| Petition to the Sudder, praying that the Magistrate may be directed to pay him the sale proceeds of certain articles saved from a wrecked vessel, he having established his right thereto.. .. | x. | 573–574 |
| A petitioner, on applying for the sale proceeds of a boat, is directed to prove his claim by a suit against the Magistrate .. .. | x. | 574 |
| A Deputy Magistrate should not have recorded the memorandum of previous convictions until after he had found the prisoner guilty .. .. .. .. .. .. .. .. | x. | 598 |
| The summary of a case of perjury is drawn up with great acuteness and ability by the committing Magistrate—Mr. Nowrojee Byramjee .. .. .. .. .. .. .. .. | x. | 648 |
| A notice prohibiting cremation in a certain quarter of the zillah of Surat is recorded, under the assumption that the Magistrate has allotted to the Hindoos another spot for the purpose .. | x. | 666 |
| The attention of the magisterial authorities is drawn to printed circular No. 411, of the 13th October 1849, and to the frequent remarks against taking statements in an *ex parte* inquiry on affirmation and using them as depositions, instead of taking depositions afresh from the witnesses .. .. .. .. | x. | 680 |
| Statements taken in the absence of the accused cannot be considered as depositions to be used against him on a trial before a District Police Officer, or an Assistant Magistrate .. .. | x. | 680 |
| Noticed and condemned the evident bias of a Deputy Magistrate against the prisoner .. .. .. .. .. .. | x. | 716–717 |
| A Deputy Magistrate should not have limited a prisoner to the production of five witnesses only.. .. .. .. .. | x. | 716 |
| The proclamation of a Magistrate prohibiting tobacco, opium, &c. being thrown into the jail precincts, is, in the form of a proclamation, disapproved, and the Assistant Session Judge directed to find some other form of prevention against the evils complained of .. .. .. .. .. .. .. | x. | 770 |
| Mahadajee Bulal, and four others.—Conspiracy.. .. .. .. | x. | 653–662 |
| Mahadeo.—Notice by a Magistrate directing two dhurumsalas within Mahadeo's temple, in the town of Tanna, to be reserved for the accommodation of Hindoos of the superior class, and prohibiting other persons from using them .. .. .. .. .. | iv. | 989–990 |
| Mahadoo wulud Purbooapa.—Robbery, with force, by night; and receiving stolen property, knowing it to be stolen .. .. | ii. | 134–137 |
| Mahadoo wulud Jugajee.—Perjury .. .. .. .. .. | ii. | 281–283 |
| Mahadoo wulud Tookaram, and another.—Rape .. .. .. | iv. | 444–448 |
| Mahadoo wulud Eknath, and three others.—Conspiracy .. .. | iv. | 701–712 |
| Mahadoo bin Bawajee Saloonka.—Murder .. .. .. .. | v. | 173–175 |

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| Mahadoo bin Joma Patel.—His detention, as a precautionary measure, sanctioned for another year .. .. .. .. .. | vi. | 338-340 |
| Mahadoo bin Gopala.—Employing a fishing-boat without a certificate of registry .. .. .. .. .. .. .. | vii. | 340-343 |
| Mahadoo wulud Bhika.—Unintentional commission of culpable homicide and assault. The charge, it is noticed, should have been culpable homicide .. .. .. .. .. .. .. | vii. | 604-609 |
| Mahadya wulud Rambhya, and others.—Robbery, without force, by night .. .. .. .. .. .. .. .. | i. | 383-387 |
| Mahagya wulud Keojee.—Culpable homicide .. .. .. .. | iv. | 153-156 |
| Mahagun, | | |
| Noticed that the influence of the Mahagun community in Kupurwunj is so great as to be thought to influence the Police in their investigations .. .. .. .. .. .. .. | iv. | 87 |
| Mahalkuree, | | |
| The Sudder Court do not concur in a Magistrate's strictures on the proceedings of the Mahalkuree as far as they refer to his having summoned the Police Patel, whose evidence is always valuable in criminal trials .. .. .. .. .. .. | iii. | 331 |
| Observed that the Session Judge should have set forth in the record the substance of the 'kurarnama,' or agreement, and proved, by evidence more independent than that of the complainant, when and under what circumstances it was made use of before the Mahalkuree, and how it found its way before the Sessions Court. | iv. | 455-456 |
| A Mahalkuree is to blame for having placed a prisoner in custody for two days, for whom he might have taken bail, or personal recognisance .. .. .. .. .. .. .. | v. | 641 |
| The misconduct of a Mahalkuree is brought to the notice of the Collector .. .. .. .. .. .. .. | vi. | 188 |
| A Mahalkuree is, for acting illegally, if not criminally, reduced to the situation of a Karkoon on Rs. 25 a month .. .. .. | vi. | 443 |
| A party having preferred charges against a Mahalkuree, was bound over to prosecute, and being absent on one occasion, was adjudged to pay a penalty of seven hundred Rupees, which, considering the long period over which the inquiry extended, and the frequent adjournments, the Court held excessive, and reduced to one hundred Rupees .. .. .. .. .. .. | vii. | 42 |
| Noticed of a Mahalkuree (subsequently dismissed) that it would have been better, perhaps, that he should have been committed to take his trial for 'extortion' before the Sessions Court .. | x. | 294 |
| Mahadeorow wulud Sumbhajee, and fifty-six others.—Riot; and breach of the peace .. .. .. .. .. .. .. | v. | 371-377 |
| Mahdoo bin Govind Shinday.—Rape .. .. .. .. .. | x. | 662-663 |
| Mahiput Mankeshwur, and two others.—Misconduct and abuse of authority as an officer in the Police department; assault; and aiding in assault .. .. .. .. .. .. .. | v. | 720-726 |
| Mahiputrao Trimbuck Duxnee, and two others.—Forgery .. .. | vii. | 356-373 |
| Mahomed Budroodeen, and five others.—Gang robbery, with force, by night .. .. .. .. .. .. .. .. | i. | 14- 16 |
| Mahomed Salay Borah, and seven others.—Resistance to legal process; and aiding and abetting in the same .. .. .. .. | ii. | 434-439 |
| Mahomed wulud Laloobhaee.—Forfeiture of recognisance bond .. | iii. | 515-521 |
| Mahomed Ismael wulud Abdool Kureem Noraz.—Conspiracy .. | iv. | 903-910 |
| Mahomed Ebrahim, and twenty-one others.—Praying the reversion of the order of the Magistrate of Surat prohibiting them from carrying on their trade of dressing skins as heretofore on their own premises, and compelling them to remove their business to some other and more retired place .. .. .. | v. | 414-416 |
| Mahomed Oosman.—Forfeiture of security bond .. .. .. | v. | 684-687 |
| Mahomed Salee, and another.—Escape from custody after sentence .. | vi. | 7- 9 |

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| Mahomed Oosman.—Released from further detention on his own recognisance .. .. .. .. .. .. .. | vii. | 20 |
| Mahomed Khan wulud Nawaz Khan, and fifteen others.—Gang robbery, with force, by night; instigating and aiding in the offence; and concealment of the perpetrators after the robbery .. .. | vii. | 220–231 |
| Mahomed Ibrahim, and thirty-four others.—Praying that the order of the Magistrate of Surat, prohibiting them from tanning leather on their own premises, might be set aside .. .. .. | vii. | 497–499 |
| Mahomed Oomer.—Appropriating to his own use and advantage public money .. .. .. .. .. .. .. .. | vii. | 536–547 |
| Mahomed Moorad.—Culpable homicide.. .. .. .. .. | viii. | 9– 16 |
| Mahomed Khan wulud Gajoo Khan.—Attempt to commit murder .. | viii. | 160–161 |
| Mahomed Oosman.—Forfeiture of recognisance bond .. .. .. | ix. | 486–490 |
| Mahratta, | | |
| Noticed incorrectness of a translation of certain rules from English into Murathee, and of the introduction into the Murathee translation of the English words *rules* and *notice* .. .. .. | vi. | 388 |
| Noticed material discrepancy in the English and Murathee depositions of a witness .. .. .. .. .. .. .. | vi. | 393 |
| A Magistrate's attention is drawn to the discrepancy in the Murathee version of a charge for murder, whereas that in English is carefully and correctly drawn up .. .. .. .. | ix. | 29 |
| Mahtaria wulud Heerajee, and five others.—Gang robbery, with force, by night .. .. .. .. .. .. .. | iii. | 331–333 |
| Maka Pala, and another.—Theft, by night; and aggravated assault .. | i. | 421–425 |
| Malia, son of Bendia, *alias* Chang Matra.—Robbery, with force, by night; and receiving stolen property, knowing it to be stolen .. .. .. .. .. .. .. .. | vii. | 14– 17 |
| Malice, | | |
| Although there may have been no actual enmity entertained towards the woman, still the brutality displayed in the attack upon her, and the absence of all passion or excitement, evinced that degree of malice which the law assumes to precede murder; and the prisoner, in place of being convicted of culpable homicide, should have been convicted of, and sentenced for, the graver offence .. .. .. .. .. .. .. | ii. | 648 |
| The regulations do not require any previous enmity or malice existing to constitute the crime of murder .. .. .. | v. | 566–567 |
| Depriving a human being of life purposely and without justifiable cause is murder; and when, as in the English law, malice is an essential ingredient in the crime, it should be observed, as a general rule, that all homicide is presumed to be malicious, and, of course, amounting to murder, until the contrary appears, from circumstances of alleviation, excuse, or justification; and that the assault appears to have been wholly unpremeditated and committed in bad blood .. .. .. .. .. | v. | 566–567 |
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| The attention of the Magistrate is drawn to the Police who allowed a murderer to escape in the first instance, although he approached so near as to strike the Kotwal .. .. .. .. .. | iv. | 777 |
| A witness for giving false evidence on a trial for murder is remanded to the Magistrate, that a charge of perjury may be preferred against him.. .. .. .. .. .. .. .. | iv. | 823–824 |
| A deaf and dumb woman convicted of murder, appearing to have but little intellect, is sentenced to imprisonment for life .. | iv. | 836 |
| Noticed in a case of murder, the sudden death of a wounded man as pointing out the necessity for prompt investigations .. | iv. | 836 |
| In accordance with circular order No. 400, the Police officers who apprehended a prisoner for murder should have been forwarded to the Sessions Court .. .. .. .. .. .. | iv. | 836 |
| The mother and brothers of a murderer having been charged with concealment of the murder after the fact, were by the Sudder Court acquitted and discharged, their concealment of the crime not being penal .. .. .. .. .. .. .. | iv. | 867 |

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| Noticed omission to search, and the ill-effects of want of search, in a case of murder .. .. .. .. .. .. .. | iv. | 867 |
| Noticed the impropriety of having allowed a grown-up woman, suspected of murder, to remain in her house during the whole of the night the murdered girl was missed, while other three females, who were living there, and of whom two were young girls, were apprehended and removed .. .. .. .. | iv. | 867 |
| A Magistrate is apprised of the remissness with which a Police peon, placed on guard at the house of a woman accused of murder, discharged his duty .. .. .. .. .. | iv. | 867 |
| Noticed a charge preferred as one of robbery, attended with murder, which would more properly have been designated 'murder, attended with robbery' .. .. .. .. .. .. | iv. | 869 |
| In committing a party for aiding and instigating in murder, the Assistant Magistrate should have stated in the indictment the particular acts constituting the 'aiding' and 'instigating' .. | iv. | 953 |
| Two witnesses in a trial for murder are forwarded to the Magistrate, that a charge of perjury may be preferred against them.. | iv. | 984 |
| Noticed in a case of murder, and attempt at murder, that the finding on the first count is erroneous, and on no grounds could conviction in the case be recorded for a less crime than murder .. .. .. .. .. .. .. .. | v. | 315 |
| Noticed on a trial for murder, that the report of the District Police Officer ought not to have been recorded, it not being evidence .. .. .. .. .. .. .. .. | v. | 409–411 |
| A District Police Officer ought not to have been allowed to take a prisoner aside and converse with him until he told him where the sword was hid with which the murder had been perpetrated .. .. .. .. .. .. .. | v. | 409–411 |
| Noticed instance of suspicion against a person on whose premises a murder was committed, with a view to the Magistrate's ascertaining whether the case had been properly disposed of as respects that individual .. .. .. .. .. .. | v. | 429 |
| A reward of fifty Rupees is, under Clause 3 Section 33 Regulation XII. of 1827, awarded to two persons, who (unarmed) arrested, at the imminent risk of their own lives, an armed murderer .. | v. | 519 |
| The Police Patel of Kowteek is granted a certificate of valuable aid, in arresting an armed murderer .. .. .. .. | v. | 519 |
| The regulations do not require any previous enmity or malice existing to constitute the crime of murder .. .. .. | v. | 566–567 |
| Depriving a human being of life purposely and without justifiable and extenuating cause is murder; and when, as in the English law, 'malice' is an essential ingredient in the crime, it should be observed, as a general rule, that all homicide is presumed to be malicious, and, of course, amounting to murder, until the contrary appears from circumstances of alleviation, excuse, or justification; and that the assault appears to have been wholly unpremeditated and committed in bad blood .. .. .. | v. | 566–567 |
| Noticed a case of murder, in which a special finding ought to have been recorded, as the prisoner, from the Civil Surgeon's report, would appear to have been feigning madness, and to be by no means insane .. .. .. .. .. .. .. | vi. | 21 |
| Government, on being referred to, see no grounds for commuting the sentence of death passed upon a prisoner for a most deliberate and cold-blooded murder, because he, the prisoner, has been under this sentence for three months, while certain technical defects in the proceedings were being rectified .. .. .. | vi. | 67– 68 |
| Government, on reference, commute the sentence of death passed on a boy, aged sixteen, for the murder of his sister, aged ten years, to transportation for life .. .. .. .. .. | vi. | 132 |

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| A Session Judge should have recorded his reasons for awarding secondary punishment in a case of cold-blooded and deliberate murder clearly proved .. .. .. .. .. .. | vi. | 167 |
| Parties having sought out a person for the purpose of assailing him, and having, in the course of the assault, killed him, should have been convicted of murder, and attempt at murder .. | vi. | 180 |
| Noticed in a trial for murder certain evidence which should have been secured .. .. .. .. .. .. .. | vi. | 191 |
| A boy aged fourteen, sentenced by the Sessions Court to transportation for life, for the murder of his mother-in-law's paramour, who he had pre-warned and cautioned against coming to the house, and who he attacked openly with a sword on finding him seated on his mother-in-law's bed, is by the Sudder adjudged to receive twenty-five stripes, and to suffer solitary imprisonment for one month .. .. .. .. .. .. .. .. | vi. | 231 |
| A Session Judge having very properly visited and made himself acquainted with the locality in which a murder was committed, should, instead of recording in his finding his own impressions of how the prisoner came there, have extracted this opinion from the witnesses, the objection to the course he pursued being, that he made himself a witness, who the witness could not cross-examine .. .. .. .. .. .. .. .. | vi. | 337 |
| The conviction and sentence in a case of murder are annulled, no evidence appearing against the prisoners but their bold confessions, which, from the very first time they appeared before European authority, they stoutly denied.. .. .. .. | vi. | 345-347 |
| Noticed instance in which a prisoner should have been charged as a principal, and that the charge against all the prisoners should have been 'murder, with robbery,' not 'robbery, with murder' .. .. .. .. .. .. .. .. | vi. | 367 |
| In a trial for murder, a Patel deposes that one Khundo came and told him that the child had been murdered; this should not have been recorded, as it is not evidence.. .. .. .. | vi. | 412 |
| Aiding and abetting in an attempt to commit murder is a definition of crime unknown to the regulations .. .. .. | vi. | 423 |
| In a case of murder, the plea of intoxication, even if established, would not mitigate the crime, and could not be urged in extenuation.. .. .. .. .. .. .. .. | vi. | 441 |
| Noticed instance in which a man charged with 'serious assault, attended with murder,' should have been charged with 'murder' in killing two persons, and 'serious assault' in having wounded, the others .. .. .. .. .. .. .. | vi. | 441 |
| Noticed that in place of culpable homicide, the Session Judge should have convicted of murder three Sowars, who, in conveying an unarmed prisoner to Sanund, did, on his attempting (as they alledge) to escape, kill him, on the plea that it was the only means of preventing his escape .. .. .. .. | vi. | 461-462 |
| Noticed the neglect of duty in the preparation of a case of murder by the Poorandhur Police Amuldar . .. .. .. | vi. | 466 |
| On a trial for attempt at murder, the doctor who dressed the wound ought to have been examined .. .. .. .. | vi. | 481 |
| Noticed instance of a murder having its origin in the ignorance and credulous character of the people in the Konkun villages .. .. .. .. .. .. .. .. | vi. | 862-866 |
| Noticed instance in which an important witness in a case of murder should have been examined .. .. .. .. | vii. | 5 |
| The body of the deceased should not, in a case of murder, have been removed until an inquest had been held upon it .. .. | vii. | 6 |
| Noticed in a case of murder, the absence of an inquest, which should have been held .. .. .. .. .. .. | vii. | 10 |

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| An order of Mr. Forjett to the Belgaum Police is ordered to be cancelled, as holding out a premium to the Police to shed blood, one of that body having already referred to it as a justification when tried on a charge of murder.. .. .. .. | vii. | 758–759 |
| Noticed in a trial for murder, the record of hearsay, which should not have been allowed .. .. .. .. .. .. | viii. | 348 |
| Noticed in a trial for murder, that there is no evidence to prove that the inquest report recorded in the case was that of the inquest held upon the body of the prisoner's wife .. .. | viii. | 348 |
| Noticed in a case of 'robbery and murder,' the objectionable practice on the part of the Police of seeking for no other information than that which they can obtain by examining the prisoner .. .. .. .. .. .. .. .. | viii. | 497 |
| Holding it but natural in a husband to conceal the guilt of his wife, of whose acts of robbery and murder he was not, until after they were committed, cognisant, the Sudder annul the sentence of the Sessions Court, and order the prisoner's release.. | viii. | 585 |
| The regulations provide that any person who shall commit or assist in any unlawful act, the perpetration of which is accompanied with the death of a human being, shall be liable to the punishment of murder .. .. .. .. .. .. | viii. | 706 |
| Two women charged with culpable homicide, for administering to a woman, for the purpose of procuring abortion, medicine, from the effects of which she died, should have been charged with murder .. .. .. .. .. .. .. .. | viii. | 700–708 |
| A Chinese convict, under sentence of transportation for fourteen years from Singapore, having attempted to commit murder on a fellow-prisoner in jail, was sentenced to transportation for life, and by Government directed to be sent under that sentence to Aden .. .. .. .. .. .. .. .. | viii. | 711–713 |
| A Magistrate's attention is drawn to the discrepancy in the Murathee version of a charge for murder, whereas that in English is carefully and correctly drawn up.. .. .. .. .. | ix. | 29 |
| Noticed in a case of murder, that the evidence of the prisoner's brother, who apprehended him, should have been taken. The spirit, though not the letter, of printed circular No. 400, requires that this should have been done .. .. .. .. | ix. | 32 |
| A prisoner cannot be legally arraigned or put upon his trial charged with culpable homicide; and no court can take cognisance of the offence, but one competent to try a prisoner or murder.. | ix. | 73 |
| A prisoner having been tried by incompetent authority, and for an offence (culpable homicide) with which a prisoner cannot be legally charged, the sentence is annulled, and the prisoner is to be committed to take his trial before the Sessions Court for murder .. .. .. .. .. .. .. .. | ix. | 73 |
| Pointed out the manner in which a Session Judge should have conducted a trial for murder .. .. .. .. .. | ix. | 227–228 |
| Noticed with astonishment a Session Judge hesitating for two days to pass sentence in a case of cool and deliberate murder; and then, in place of passing a capital sentence, recording one of secondary punishment, to justify him in passing which there is nothing visible on the record .. .. .. .. .. | ix. | 267–268 |
| Noticed in a case of murder, that the wife should also have been convicted of the attempt upon her husband's life .. .. | ix. | 275 |
| Noticed in a case of murder, that very great blame is attributable to the Village and District Police for not sending a party severely injured in an assault to the civil hospital .. .. .. | ix. | 377 |
| Noticed instance in which transportation for life appears a sentence lenient for the manner in which the murder of a woman by her husband was committed .. .. .. .. .. .. | ix. | 381 |

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| Noticed in a trial for murder, that neither the Session Judge nor the Magistrate give any reason for not taking the evidence of a person, whose testimony was requisite to conclude the chain of evidence. | ix. | 377 |
| Noticed in a case of murder, that transportation for life is a lenient sentence to have recorded for the offence committed .. | ix. | 381 |
| Noticed instance in which a Session Judge might have sent to the Sudder a 'report,' instead of his 'finding,' in a case of murder. | ix. | 404 |
| Ditto ditto ditto .. .. | ix. | 407 |
| Ditto ditto ditto .. .. | ix. | 410 |
| Noticed as surprising that, in a clear case of attempt at murder, a First Assistant Magistrate should have committed the prisoner to take his trial for the lesser or crime of serious assault. | ix. | 437 |
| Noticed instance in which a capital sentence was passed on one prisoner only, whereas it should have been passed on all the three, who, convicted of murder, perpetrated to conceal the fraudulent appropriation of money .. .. .. .. | ix. | 448 |
| The depositions of two persons which were read in a case of murder, should have been translated, or their substance entered in the proceedings, under printed circulars No. 14, of the 20th March 1828, and No. 31, of the 14th March 1830 .. .. | ix. | 500 |
| A prisoner charged with murder and convicted of culpable homicide, not being in that state of mind in which it would be safe to release him unconditionally, is remanded to the Magistrate, to be dealt with according to the provisions of Section 41 Regulation XIII. of 1827.. .. .. .. .. .. | ix. | 544 |
| In a case of murder by poisoning, the contents of the stomach only appear to have been subjected to examination, whereas the stomach itself should have been tested for traces of the arsenic.. | ix. | 611-612 |
| Noticed a sentence as being very inadequate for an attempt at murder and robbery deliberately carried out .. .. .. | x. | 148 |
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| A plea of guilty of killing the deceased in self-defence is a plea of not guilty of murder, and should have been so recorded .. | x. | 159 |
| The denouncement of a prisoner by him of whose murder he was accused should not have been recorded .. .. .. | x. | 204 |
| Cited instances in Khandeish and the Konkun of parties having been sentenced to death for the murder of persons reputed to be sorcerers or witches .. .. .. .. .. .. | x. | 356-357 |
| A reward of fifty Rupees is offered for the apprehension and conviction of the Police Patel of Hamgee, and of two other persons, respectively, against all three of whom also the provisions of Section 38 Regulation XII. of 1827 are put in force, they having absconded on being charged with the murder of a man who had divulged to the Police the concealment of arms and ammunition at Hamgee .. .. .. .. .. .. .. | x. | 472-474 |
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| Notice by the Magistrate of Belgaum ordering music in the public streets of that town to be discontinued on the approach of horses mounted or in draught .. .. .. .. | ix. | 618-619 |
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| Mutiny, | | |
| Proclamation by the Magistrate of Broach requiring (during the prevalence of the mutiny) information from travellers somewhat analogous to that which the passport systems of Europe demand. | viii. | 356–357 |
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| A Session Judge is requested to report whether there are no Naiks, Havildars, or Jemadars on the jail-guard to see that the peons do their duty .. .. .. .. .. .. .. | i. | 660 |
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| An Assistant Magistrate is requested to designate prisoners by their names, and not by their numbers only .. .. .. | iii. | 547 |
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| Attention is drawn to circular order No. 151, paragraph 4, under which an Assistant Session Judge can amend a charge, on which prisoners are first handed up to trial, by inserting the names of the parties robbed.. .. .. .. .. .. .. | v. | 91 |
| A notification is returned unrecorded, as it should have been in the name of the Magistrate, and not of the Assistant Magistrate.. .. .. .. .. .. .. .. .. | v. | 333 |
| A man merely personating another, and giving his evidence under an assumed name, cannot be guilty of perjury, unless some part of the evidence is false .. .. .. .. .. .. | v. | 363 |
| It is quite sufficient for the Assistant Magistrate to record in English the name of the witness, and as much of his deposition as he thinks fit, or as little as he pleases, and no more than is absolutely necessary to elucidate the case .. .. .. | vi. | 346 |
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| Noticed that a Session Judge throughout his finding, and when recording his conviction, and even when passing sentence, omits to mention the prisoner's name, and alludes to him only as the prisoner .. .. .. .. .. .. .. .. | viii. | 40 |
| Noticed instance in which a prisoner charged, tried, and convicted under one name, is sentenced under another .. .. .. | viii. | 651 |
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| Nana bin Bapoo, and another.—Murder .. .. .. .. | iii. | 300-306 |
| Nana Morojee, The Deputy Magistrate was quite correct in committing certain parties for conspiracy; and the Sudder, cancelling the reprimand administered by the Sessions to that officer, to whose commitment no exception ought to have been taken, direct the Session Judge to communicate this (their decision) to the Magistrate for the information of Mr. Nana Morojee .. .. .. .. | iv. | 173 |
| Nana Heera.—Forgery; and making fraudulent use of a forged document .. .. .. .. .. .. .. .. | v. | 530-534 |
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| As a general rule, it seems advisable to record all depositions in the form of a continued narrative rather than that of questions and answers.. .. .. .. .. .. .. .. | ii. | 539 |
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| The first six paragraphs of a proclamation by the Acting Joint Magistrate of Nassick being in the nature of a covenant, cannot be admitted; but to the three last, for the maintenance, according to law, of the cleanliness in the town, there appears no objection. | ii. | 106 |
| A notification by the Magistrate, enjoining people to make their rice-cleaning machines similar to those recently constructed in the jail of Nassick, is disapproved .. .. .. .. | ii. | 452–453 |
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| Nathoo Beejun, and another.—Robbery, with force, by night .. | viii. | 247–254 |
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| Native, | | |
| A woman, a native of the zillah whence expelled, is not amenable to expulsion thence under Section 28 Regulation XII. of 1827. | iii. | 432–434 |
| The order for the expulsion of a prisoner is cancelled, he being a native of the zillah whence it is sought to expel him .. .. | iii. | 814 |
| A Magistrate had no power to forbid, even at the requisition of the Superintendent of Police, a native resident of the city of Poona from going within the camp limits of that town, nor to take security from him to that effect, the order for which is therefore annulled .. .. .. .. .. .. .. | v. | 50– 51 |

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| A notorious offender failing to give security, can, if not a native of the zillah, nor a British-born subject, be expelled .. .. | vi. | 576 |
| The entertainment of foreigners as servants by the natives of Dharwar is prohibited, without permission from the Magistrate, his Assistants, or the Superintendent of Police .. .. .. | x. | 84- 85 |
| Nazir, | | |
| Extortion and abuse of authority by the Nazir of the Moonsiff's court .. .. .. .. .. .. .. .. | i. | 321-327 |
| Noticed the supineness of a Moonsiff, and his doing all in his power to screen a prisoner—the Nazir of his own (the Moonsiff's) court .. .. .. .. .. .. .. .. | i. | 324-327 |
| On the adjournment of a court during trial, the prisoners and articles in evidence before the Court should be remanded to the Nazir, and an entry to that effect be recorded in the proceedings .. .. .. .. .. .. .. .. | ii. | 8 |
| At the conclusion of a trial, instead of directing the Nazir to take charge of the prisoners, a formal warrant to do so should be issued, as required by Clause 3 Section 21 Regulation XIII. of 1827.. .. .. .. .. .. .. .. .. | ii. | 8 |
| Inquiry and report are directed into the practice of the Nazir's department in taking copies of wills, and in whose custody the registered copy of a will was retained until called for by the Moonsiff .. .. .. .. .. .. .. .. | iii. | 375 |
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| Noticed instance in which the death should have been, but was not, immediately reported by the Nazir .. .. .. .. | vii. | 557 |
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| Neglect, | | |
| Of duty, | | |
| Kaleedas Jeysungbhaee, and others .. .. .. .. | i. | 44- 46 |
| Lukhmeedas Nurotum .. .. .. .. .. | i. | 250-252 |
| Razoo bin Peerajee, and two others .. .. .. .. | i. | 657-660 |
| Bawajee Joosajee .. .. .. .. .. | ii. | 726-728 |
| Salabut Khan wulud Daood Khan .. .. .. .. | iii. | 200-202 |
| Hurebhaee Bapoojee .. .. .. .. .. .. | vii. | 374-378 |
| Of Police duty, | | |
| Runchore Veneedas, and seven others .. .. .. | i. | 500-503 |
| Of duty as a Police peon, or Village Police, | | |
| Toola wulud Jaiba, and three others .. .. .. | iii. | 530-533 |
| Gross neglect as a Police Amuldar, | | |
| Krushnajee Bhikajee .. .. .. .. .. .. | iv. | 471-476 |
| And misconduct, | | |
| Kurriapa, and twelve others .. .. .. .. .. | vii. | 171-173 |
| Gross neglect of duty as a Police officer, | | |
| Tejkarum Jeskarum, and three others.. .. .. .. | ix. | 327-335 |
| To register a matchlock in his possession, | | |
| Khundoo, *alias* Hybutee wulud Oomajee .. .. .. | x. | 244-245 |
| To register arms, | | |
| Buslingapa wulud Eersungapa, and another .. .. .. | x. | 502-508 |

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| In regard to detecting and apprehending some robbers, Sutwa wulud Suntoo, and twelve others .. .. .. | iii. | 273-275 |
| To erect field-boundary marks, Detar Khoda, and six others .. .. .. .. .. | viii. | 138-145 |
| Misconduct and neglect of duty as a Police officer, or officers, Goolab Lal, and two others .. .. .. .. .. | ii. | 521-523 |
| Koowurdas Mooljee .. .. .. .. .. .. | iii. | 241-243 |
| Gross misconduct and neglect of duty in their capacity of Native officers of the criminal court, Razoo bin Peerajee, and two others .. .. .. .. | i. | 657-660 |
| With regard to the prevention of a robbery, Wasoodewbulab Shebendurkur, and another .. .. | ii. | 425-428 |
| Noticed in a case of murder, that neglect of circular order No. 427 weakened the evidence, and led to the acquittal of the prisoner .. .. .. .. .. .. .. .. | i. | 8 |
| A Magistrate is reminded that Act XI. of 1843 should not be applied to such offences as 'neglect of duty in the Police,' but should be reserved for matters in which the interests of the revenue are affected .. .. .. .. .. .. | i. | 46 |
| Noticed the supineness and neglect of a Police Patel and his First Karkoon in a case of murder .. .. .. .. .. | i. | 117 |
| The conviction and sentence of a Police Patel for neglect of duty, in not searching after a stolen bullock, are annulled on the ground of neglect, or connivance, not having been substantiated against him.. .. .. .. .. .. .. .. | i. | 252 |
| The conviction and sentence of a Session Judge are annulled, and the fine is to be restored to the prisoner (a peon), who should not suffer further in any respect for the neglect of duty with which he is charged .. .. .. .. .. .. | iii. | 202 |
| Noticed failure to record the substance of the statement made by a prisoner in his defence, and to quote the regulation under which he was punished .. .. .. .. .. .. | iii. | 225 |
| Noticed the neglect of a First Assistant Magistrate to examine the other witnesses in a case of 'robbery, attended with murder' .. .. .. .. .. .. .. .. | iii. | 364 |
| The punishment of hard labour cannot be awarded for neglect of duty .. .. .. .. .. .. .. .. | iii. | 533 |
| The sentence in a case of 'robbery, without force, by night,' was mitigated, it being considered that the great temptation afforded by the culpable negligence of the complainant was some palliation for the offence .. .. .. .. .. .. | iv. | 113 |
| Noticed that, in consequence of the culpable neglect of a Police Patel, the dying declarations of a woman were not taken .. | iv. | 323-329 |
| Noticed a Police Patel's neglect to examine, until the next day, the body of a woman who complained to him of having been beaten and maltreated by the Police .. .. .. .. | v. | 726 |
| Noticed the neglect of duty apparent in the preparation of a case of murder by the Poorandhur Police Amuldar .. .. .. | vi. | 466 |
| The sentence passed, and fines imposed, on certain parties neglecting to erect field-boundary marks, are annulled, the system of forced-labour under which they were required and refused to work being altogether illegal .. .. .. .. .. | vii. | 138-145 |
| Nela bin Bermuna.—Forfeiture of security bond .. .. .. | vi. | 253-254 |
| Newspaper.—*See* " Press." | | |
| Newton, Mr. H. | | |
| The Sudder Court have perused with much satisfaction the masterly and pains-taking judgment of the Acting Session Judge—Mr. H. Newton .. .. .. .. .. .. | iv. | 130 |
| The Acting Session Judge (Mr. H. Newton) is informed that the Court consider his finding a very able one .. .. .. | iv. | 329 |

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| The Acting Session Judge (Mr. H. Newton) is commended for the very able manner in which a trial for murder has been conducted by him .. .. .. .. .. .. .. | iv. | 868 |
| The Sudder Court notice in a trial for murder the able analysis of the evidence, and the usual ability with which it has been conducted by the Acting Session Judge—Mr. H. Newton.. .. | iv. | 953-954 |
| Mr. H. Newton's trial of cases is highly commended .. .. | v. | 132 |
| Nicolao wulud Antonio.—Instigating a Native officer to commit bribery. | vi. | 157-160 |
| Night, | | |
| A proclamation enjoining people in the Kusba of Goobagur not to move about without a light or lantern on dark, cloudy nights, between the hours of 10½ P. M. and 4½ A. M., is by the Sudder disapproved, and ordered to be recalled .. .. .. .. | ii. | 453-456 |
| A proclamation prohibiting persons from moving about in the Dharwar District from 10 P. M. till dawn without a light, is, on being approved, recorded .. .. .. .. .. | viii. | 245-246 |
| Nichalao wulud Lucheiram.—Perjury .. .. .. .. .. | ii. | 279-281 |
| Nimba wulud Nungoba, and another.—Robbery, without force, by night .. .. .. .. .. .. .. | iv. | 414-419 |
| Nimbya wulud Lalbuna.—Murder .. .. .. .. .. | v. | 583-588 |
| Ninga wulud Shidapa.—Murder .. .. .. .. .. .. | v. | 233-238 |
| Ninga bin Chuna.—Murder .. .. .. .. .. .. | x. | 200-204 |
| Ninga bin Kenchapa.—Murder .. .. .. .. .. .. | ix. | 377-391 |
| Ningapa wulud Shunkrapa, and seven others.—Gang robbery, with force, by night; and receiving stolen property, knowing it to be stolen .. .. .. .. .. .. .. .. | ii. | 713-717 |
| Ningapa wulud Bhimapa.—Murder .. .. .. .. .. | x. | 104-106 |
| Ningee, wife of Buslinga, and two others.—Wilful murder; and concealment after the fact .. .. .. .. .. .. | i. | 71- 76 |
| Ningia bin Tipana.—Murder .. .. .. .. .. .. | x. | 207-210 |
| Ningnak wulud Shiwnak, and three others.—Robbery, by night, attended with murder .. .. .. .. .. .. .. | iii. | 353 |
| Ningungowra bin Roodragowra.—Rape .. .. .. .. | vii. | 214-219 |
| Ningungowra bin Chunapagowra.—Serious assault .. .. .. | vii. | 286-287 |
| Noor Khan Hazrut.—Serious assault, attended with murder .. .. | vi. | 437-441 |
| Nose, | | |
| A man who held a woman while her husband cut off her nose, was as much implicated in the assault as the husband, and should have been, with him, committed for assault .. .. .. | v. | 574-575 |
| Nose-string, | | |
| A notice by a Magistrate enjoining that cattle be not driven on certain public roads without the 'vesun,' or nose-string, is disapproved .. .. .. .. .. .. .. .. | iii. | 524 |
| A proclamation directing, among rules, that bullocks be not driven in carts on the public roads without the 'nath,' or nose-string, is recorded .. .. .. .. .. .. .. .. | viii. | 124 |
| Ditto ditto ditto | viii. | 318-323 |
| Note, | | |
| Noticed the improper conduct of the Karkoon of Tanna in taking a note from the prisoner at the time of his apprehension. | ii. | 111 |
| Observed in a trial for conspiracy, that a note is recorded which purports to be, but is not, evidence .. .. .. .. | vii. | 395 |
| Notice, or Notification, | | |
| Enjoining the people of Nassick to make their rice-cleaning machines similiar to those recently constructed in the jail of that town, is disapproved .. .. .. .. .. .. | ii. | 452-453 |
| A notice by the Magistrate of Tanna, cautioning the public against dirtying and rendering unfit for drinking the water of two cisterns in front of Mahadeo's temple, at Kusba Bhewndy, is recorded .. .. .. .. .. .. .. .. | iii. | 235 |

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| A notification in the form of an answer to a petition cannot be considered to have the force of an order.. .. .. .. | iii. | 243 |
| Whether a notification be special or general, the law requires that a copy of it shall be submitted to the Sudder Foujdaree Adawlut .. .. .. .. .. .. .. .. | iii. | 243 |
| A Magistrate is not empowered to issue proclamations, except in the matters specified in Section 19 Regulation XII. of 1827, when a copy of the injunction must be forwarded to the Sudder Court .. .. .. .. .. .. .. .. | iii. | 289-290 |
| A Magistrate is requested to withdraw a proclamation, under shelter of which murder is committed and attempted to be justified .. .. .. .. .. .. .. .. | iii. | 289-290 |
| The making of snuff in a house close to a public road is prohibited by a notice served under Act XXI. of 1841, in consequence of the inconvenience arising to the public from the effects of the tobacco-dust .. .. .. .. .. .. .. | iii. | 251-353 |
| A notice by the Magistrate of Tanna, prohibiting people from driving cattle in carts, or other vehicles, up and down the Thull Ghaut, or on the highroad between that ghaut and the village of Kalker, without a 'vesun,' or nose-string, to each animal so employed, is disapproved, and therefore not recorded .. .. | iii. | 523-524 |
| A notice by the Magistrate of Tanna, prohibiting the letting off of fireworks in the towns of Bhewndy, Nizampoor, and Teleepoora, is recorded .. .. .. .. .. .. .. | iii. | 812-813 |
| A notification by the Magistrate of Belgaum, prohibiting injury to, and enjoining the preservation and repair of, the fences which encompass villages, is requested to be withdrawn, and the Magistrate reminded that, in respect to breaking through fences, punishment is provided by Clause 3 Section XLII. of 1827 .. | iv. | 41- 42 |
| A notice by the Magistrate of Tanna, prohibiting people from washing clothes, animals, themselves, or any articles, or in any way dirtying the water of the tank at Moujé Wudwulee, is recorded .. .. .. .. .. .. .. .. | iv. | 44 |
| A notice by the Joint Magistrate of Colaba, prohibiting people from in any way dirtying the water of the tank near the Heeracote, within the boundaries of the town of Alibaugh, is recorded. | iv. | 176 |
| Notification by the Magistrate of Poona, prohibiting any person from letting loose on the roads, in the bazars, or any other open place of resort, any 'poles,' or other animals, and directing the seizure and sale by public auction of all such animals found straying in public or open places on and after the 1st August 1855.. | iv. | 197-201 |
| A notification by the Magistrate of Poona, to treat as offenders, under Regulation XVII. of 1828, such persons as shut their shops with the view of compelling him to withdraw a former notification, which had been approved as legal, was, the Sudder Court considered, injudicious. It had, however, the Magistrate reported, the desired effect, and occasioned not the slightest disturbance.. .. .. .. .. .. .. | iv. | 197-201 |
| Notice issued by the Magistrate of Colaba, prohibiting parties from dirtying, &c. the water of a tank at Moujé Dadur, is recorded. | iv. | 295-296 |
| Notice by the Magistrate of Dharwar, forbidding persons to ride, or drive, furiously at, or near, the station of Dharwar, is not based on sufficient grounds to be recorded .. .. .. | iv. | 625-626 |
| Notice by the Magistrate of Tanna, prohibiting people from bathing, washing clothes, &c. in, or otherwise dirtying, the water of the Jooma Musjeed tank, at Panwell, reserved for drinking, is recorded .. .. .. .. .. .. .. | iv. | 746 |
| Notice by the Magistrate of Tanna, prohibiting people from bathing, washing clothes, &c. in, or otherwise dirtying, the water of a well named Moghee, at Mokhara, is recorded .. .. | iv. | 805 |

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| Notice by the Magistrate of Tanna, prohibiting people from depositing fish, or vegetables, for sale on the public road between the Government school and Railway station, is recorded .. | iv. | 856 |
| Notice by the Magistrate of Tanna, directing two 'dhurumsalas,' or buildings for Hindoo mendicants, within the precincts of Mahadeo's temple, in the town of Tanna, and hitherto occupied by the superior class, to be reserved for them alone .. .. | iv. | 989–990 |
| Five notices issued by the Magistrate of Surat, prohibiting persons from fishing in, as also dirtying, the water of five separate tanks, are disapproved; and amended notices, omitting all allusion to fishing, are to be submitted .. .. .. .. .. | v. | 15– 17 |
| Notice by the Magistrate of Surat, directing a space of not less than fifty yards around every public well and tank to be cleared of trees, grass, and rank vegetation, and the wells and tanks themselves to be thoroughly cleaned and kept free from all branches, dead leaves, and other putrefied matter, cannot be recorded, unless it be shown upon whom the duty could be justly and of right be made to devolve of carrying out the requirements of the proclamation if enforced .. .. .. | v. | 22– 24 |
| A Magistrate should issue such notification as he may consider necessary, and thereafter refer it to the Sudder, who, if they disapprove of it, will direct its recall, or otherwise it will remain in force .. .. .. .. .. .. .. .. | v. | 24 |
| Notice by the Magistrate of Tanna, prohibiting people from bathing, washing clothes, &c. in, or otherwise dirtying, the water of the tank at Moujé Dongree, in Salsette, is recorded .. .. | v. | 91– 92 |
| Notice by the Magistrate of Ahmednuggur, prohibiting people from bathing, washing clothes, &c. in, or otherwise dirtying, the water of a tank in the village of Dongaum, is recorded .. .. .. .. .. .. .. .. | v. | 92– 93 |
| Notice by the Magistrate of Tanna, prohibiting people from bathing, &c. in, or otherwise dirtying, the water of a well in the village of Khurdee, is recorded .. .. .. .. .. | v. | 155 |
| Notice by the Magistrate of Tanna, directing that the Ootalsur dhurumsala at Tanna shall be reserved, as heretofore, for Hindoos of good caste, and that other persons be prohibited using it, is recorded .. .. .. .. .. .. | v. | 185–186 |
| Notice by the Magistrate of Surat, directing that, if it be part of the office of village officers to keep wells and the ground around them clear of trees, weeds, and rubbish, no public proclamation is required; and if it is not part of their duty, the Court cannot make it so by proclamation .. .. .. .. .. | v. | 224 |
| Notice by the Magistrate of Tanna, prohibiting all other persons, but the inhabitants of the place itself, from carrying away water from a tank in the village of Nhaway, is recorded .. .. | v. | 252–253 |
| Notice by the Magistrate of Tanna, prohibiting all Tindals and Kulassees from drawing water at, or supplying boats and shipping from, a well situated near the quarter-guard on the Esplanade at Tanna, the water being required for the use of the townspeople and the troops, is recorded .. .. .. .. | v. | 252 |
| Notice issued by the Acting Magistrate of Tanna, prohibiting people from bathing, washing clothes, &c. in, or otherwise dirtying, the water of a tank in Moujé Blendkund, in Salsette, is recorded .. .. .. .. .. .. .. .. | v. | 275–276 |
| Notice by the Third Assistant Magistrate of Surat, prohibiting people from throwing refuse, or filth, of any description, or otherwise committing nuisance in any of the streets of the town of Surat, is returned unrecorded, as the proclamation should be in the name of the Magistrate, and not of the Assistant Magistrate .. .. .. .. .. .. .. .. | v. | 333 |

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| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or otherwise dirtying, the water of a tank on the roadside at Moujé Welay, is recorded .. | v. | 334 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or otherwise dirtying, the water of a well at Moujé Kulumgaum, is recorded .. .. | v. | 334–335 |
| Amended notices of the Magistrate of Surat, prohibiting persons from bathing, washing clothes, &c. in, or otherwise dirtying, the water of certain tanks, are returned for amendment, as referring unnecessarily to former notices, and, in doing so, stating that they were cancelled in place of forbidden .. .. .. | v. | 339–340 |
| Notice by the Magistrate of Tanna, prohibiting all other persons than those of the village of Peta Curanja, in the island of Elephanta, from carrying away the water from a small tank in that place, which is required for, and is barely sufficient for, the wants of the inhabitants and cattle of that village, is recorded.. | v. | 369–370 |
| Notice issued by the First Assistant Magistrate in charge of Surat, prohibiting the throwing of refuse, or filth, of any description, or the commission of nuisance in the streets of the town of Kurode, is recorded .. .. .. .. .. .. | v. | 412–413 |
| Notices by the Magistrate of Tanna, prohibiting Arabs from Bombay from carrying off, using, and dirtying the water of two tanks in Zillah Tanna, are disapproved of, it being necessary that such notices should be general, and not directed at a particular class .. .. .. .. .. .. .. .. | v. | 422 |
| Amended notices by the Magistrate of Surat, prohibiting people from bathing, washing clothes, &c. in, or otherwise dirtying, the water of the following tanks:—the Murla and Lal tanks at Bulsar; the Mohota tank at Pahlun; the Daoo tank at Oomdach Loowar Phulia; and the Gam tank at Oontree, are recorded .. | v. | 457 |
| Notice by the Magistrate of Surat, prohibiting refuse, or filth, being thrown into, or nuisance committed in, the streets of the town of Mundree.. .. .. .. .. .. .. .. | v. | 496 |
| Notice by the Magistrate of Belgaum, prohibiting, to avoid dispute, certain Hindoo processions from parading in certain quarters of a village in which it had not hitherto been their custom to proceed, is recorded .. .. .. .. .. .. | v. | 542–543 |
| Notice by the First Assistant Magistrate of Surat, prohibiting refuse, or filth, of any description being thrown on, or nuisance from being committed in, the streets, or public roads, of the town of Balda Pardee, is recorded .. .. .. .. | v. | 543 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or from dirtying in any way, the water of a public well at Kusba Aghaee, is recorded .. .. | v. | 578–579 |
| Notice by the Magistrate of Colaba, prohibiting bathing, washing clothes, &c. in, or in any way dirtying, the water of the well built by Hormusjee Munikjee, at Moujé Ambepoor, is recorded. | v. | 688 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or in any way dirtying, the water of the bazar tank at Kusba Mahim, is recorded.. .. .. | v. | 702–703 |
| Notice by the First Assistant Magistrate of Rutnagherry, prohibiting the poisoning of fish; the Court observe that the season of the year to which this prohibition would apply is past, and otherwise, that it were better to defer its issue until the return of the Magistrate to the zillah .. .. .. .. .. | vi. | 75– 78 |
| Notice by the Magistrate of Ahmedabad, prohibiting parties from building, or repairing buildings, on the waste lands situated in the Bhudder division of the city of Ahmedabad, without previously obtaining the permission of the Government authorities, is recorded .. .. .. .. .. .. .. .. | vi. | 145 |

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| Notice by the Magistrate of Khandeish, prescribing rules for the observance of due cleanliness and decency; the prevention of fire, nuisances, and encroachments; the removal of refuse, filth, and carcases; and the preservation, in a cleanly state, of water of those wells, tanks, or parts of a river to which the people resort for drinking; with, at the same time, a caution that the infringement of these rules will be treated as an offence, or breach of the Magistrate's order: the Court observe that these being general rules, parts of which are not applicable to every village, had better be published without the last paragraph; and if the Magistrate find they are disregarded, he can, adding the last paragraph, publish such parts of them as relate to the particular town, or village, into which their introduction is thought necessary, and send that proclamation to the Court for their approval .. .. .. .. .. .. .. .. | vi. | 205–207 |
| Persons are prohibited from bathing in, or washing clothes, or animals at, or in any way dirtying, the water of the river Vindhney, where it is divided by a masonry dam .. .. | vi. | 386 |
| Notice by the Magistrate of Tanna, for the better preservation of cleanliness and order, and the prevention of cooking within the dhurumsala at Datewra, in which shops for the sale of intoxicating drugs, or liquors, shall not be held; horses or bullocks be admitted; nor Fakeers and Gosavees allowed to continue as occupants above five days; and within a distance of 400 yards from which the commission of nuisance is strictly prohibited. Objection is had to the second paragraph of this notice, which does not show who is to sweep and keep the places clean; but with this exception, the rules are approved .. .. .. | vi. | 386–388 |
| With reference to the objection of the Court in the preceding article, the Magistrate explaining that horses, bullocks, or other animals must be tied up outside the building, and their places *be swept and kept clean, from time to time, by the owners, or attendants,* the Court—this omission having been supplied—record the rules.. .. .. .. .. .. .. .. | vi. | 851–853 |
| Notice by the Magistrate of Rutnagherry, prohibiting the people of Chiploon from going, between sunset and sunrise, to the place where traders' bullocks are picketed for the purpose allegedly of collecting cow-dung, is disapproved; and the Magistrate informed that he should make Police arrangements for the protection of the traders, instead of punishing all who approach their vicinity from sunset to sunrise .. .. .. .. .. .. | vi. | 444–445 |
| Notice by the Magistrate of Khandeish, prohibiting the 'bagad,' or 'churkhpooja' .. .. .. .. .. .. .. | vi. | 492 |
| Notice by the Magistrate of Khandeish, similar to those detailed above, at vol. vi., pages 205—207, and to which the Court recommend the adoption of the instructions they then communicated. | vi. | 493–499 |
| Notice by the Magistrate of Sholapore, prohibiting the 'bagad,' or 'churkhpooja' .. .. .. .. .. .. .. | vi. | 523 |
| Notice by the First Assistant Magistrate in charge of Rutnagherry, prohibiting the 'bagad,' or 'churkhpooja,' is recorded.. .. | vi. | 540–542 |
| Notice by the Magistrate of Belgaum, prohibiting the 'jatra,' on account of the prevalence of cholera, is recorded .. .. | vi. | 601–602 |
| Notice by the Magistrate of Tanna, prohibiting people from washing, bathing in, or dirtying, and dyers from allowing the foul water from the dye-vats, or cisterns, to flow into the large tank in the town of Bandora, the water of which is used for drinking, and the use of which for irrigation is also prohibited, is recorded. | vi. | 767–768 |
| Notice by the Magistrate of Belgaum, prohibiting the 'bagad,' or 'churkhpooja,' at the temple of Bunshunkré, and at nine other places in the Collectorate of Belgaum, is recorded .. .. | vi. | 876 |

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| Notice by the Magistrate of Colaba, prohibiting trees, or the large branches of trees, to be cut in the Government forests of Colaba without permission, is recorded .. .. .. .. | vi. | 914-915 |
| Notice by the Joint Magistrate of Colaba, prohibiting the 'bagad,' or 'churkhpooja,' at a fair, and at thirty-six villages to which its practise has been hitherto confined, is recorded.. .. .. | vii. | 124-126 |
| Notice by the Magistrate of Ahmedabad, prohibiting the 'bagad,' or 'churkhpooja,' is recorded .. .. .. .. .. | vii. | 126-127 |
| Notice by the Magistrate of Tanna, prohibiting people from bathing, washing clothes, &c. in, or dirtying the water of a tank at Kusba Dhanoo, is recorded .. .. .. .. .. .. | vii. | 127 |
| Notice by the Magistrate of Belgaum, prohibiting the 'bagad,' or 'churkhpooja,' in the Belgaum Collectorate .. .. .. | vii. | 130-131 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or otherwise dirtying, the tank at Cusba Callian, the water of which is reserved for drinking, is recorded (but afterwards *see* vol. viii., pages 166—167, cancelled) .. .. .. .. .. .. .. .. | vii. | 151-152 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or using for the purposes of cultivation, the water of the Soopalee tank: the Court observe that, as this tank is now reported to be dry, no occasion exists for the proclamation, which they therefore will not record .. | vii. | 389-390 |
| The order of a Magistrate, calling parties to act up to a former notice, of the existence of which they may have been ignorant, is annulled, and the Magistrate directed, if he see fit, to proceed anew against the parties .. .. .. .. .. .. | vii. | 487 |
| Notice by the Magistrate of Poona, enjoining, for the preservation of the newly-made road at Jamsetjee Bund, that carts shall not stop thereon blocking up the road, nor stones be put under their wheels, nor the directing-posts across the ford be knocked down, or injured, is recorded .. .. .. .. .. | vii. | 552-553 |
| Notice by the Magistrate of Tanna, directing the destruction of all stray dogs in town, or district, is recorded .. .. .. | vii. | 553 |
| Notices by the Magistrate of Colaba, prohibiting persons from bathing, washing clothes, &c. in, or in any way dirtying, the water of the following tanks:—that near Brum Alee; that near the temple of Shree Wyzunath, at Brum Alee; that called Moodbercha Talao, in the vicinity of the bazar at Kusba Talé; that in the vicinity of Poosata Alee; that in the vicinity of Moujé Morabé; and that in the vicinity of Moujé Khurowlee, are recorded .. .. .. .. .. .. .. | vii. | 573-574 |
| Notice by the Joint Magistrate of Colaba, prohibiting the sinking, and requiring the removal of fishing-stakes so short as not to be visible above the surface of the water along the sea-board of the Colaba Sub-Collectorate, is recorded .. .. .. | vii. | 663-664 |
| Notice by the Magistrate of Khandeish, prohibiting people from washing dirty clothes, or copper-pots, and rendering unfit for drinking the water of a well situated between Ghorga and Arvel, is recorded .. .. .. .. .. .. .. .. | vii. | 724-725 |
| Notice by the Magistrate of Khandeish, prohibiting travellers or other people from occupying, or putting up in the compound of the Dhoolia English school-room in Peth Dhoolia, is recorded.. | vii. | 725 |
| Notice by the Magistrate of Khandeish, enjoining an inhabitant of Dhoolia to occupy, or repair in such a manner that it may be shut up and barred against the ingress of people, a house which, in its present ruinous and untenanted condition, affords shelter to thieves, not having been complied with, sanction is requested from the Sudder to defray the expenses of its demolition and removal .. .. .. .. .. .. .. .. | viii. | 28- 29 |

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| It is not necessary to send to the Sudder a copy of a notice meant for, and addressed personally to, one particular individual .. | viii. | 29 |
| Notice by the Magistrate of Khandeish, prohibiting people from removing earth, or clay, from any spot within fifty feet of the public roads .. .. .. .. .. .. .. | viii. | 67 |
| Notice by the Magistrate of Rutnagherry, directing the destruction of all stray dogs in town, or district, is recorded.. .. .. | viii. | 109–110 |
| Notice by the Magistrate of Khandeish, prohibiting furious driving, and the driving of bullocks without nose-strings, through the public streets of towns and villages, is recorded .. .. | viii. | 124 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or in any way dirtying, the water of a tank called the "Vehar Lake," is recorded.. .. .. | viii. | 188 |
| Notice by the Magistrate of Ahmednuggur, publishing rules for the conduct and carriage of 'taboots,' 'punjas,' &c. in procession, and forbidding people to attend these armed with sticks, or weapons, of any kind soever, is recorded .. .. .. | viii. | 191 |
| Notification by the Magistrate of Dharwar, prohibiting people from moving abroad from 10 P. M. till dawn without a light; also from carrying arms, or 'lethal' weapons, of any kind, without written authority; and all public meetings, except for the celebration of festivals, or religious worship, or for the purpose of attending at weddings, or funerals, without written permission; the Court approve of this notification, and are prepared to go further and prohibit all public meetings, whether for festivals, or religious worship, without the Magistrate's permission.. .. | viii. | 245–246 |
| Notice by the Magistrate of Belgaum, regulating the conduct and carriage of 'taboots' in procession, and forbidding parties from carrying arms of any description whatever, or sticks, when accompanying 'taboots,' is recorded .. .. .. .. | viii. | 257–258 |
| Notice by the Acting Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or in any way dirtying, the water of a tank at Moujé Sopara, is recorded .. .. | viii. | 301 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or otherwise dirtying, the water of the following pools on the hill at Matheran:—the water of the river Pisnath, above the two dams; ditto carried to the Governor's House by means of a water-wheel; ditto of the Guthavee; ditto of the Funsee; ditto of the Kalokhee, is recorded.. | viii. | 616–617 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or in any way dirtying, the water of a tank at Cusba Khurdee, is recorded.. .. .. .. | viii. | 620–621 |
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| Notice by the Magistrate of Surat, prohibiting parties from boiling oil and frying 'bhujjias,' is appealed against, and the appeal rejected .. .. .. .. .. .. .. | x. | 28- 29 |
| Notice by the Magistrate of Tanna, prohibiting parties in the town of Bassein from stacking large quantities of firewood on their premises from a given date; and that, in the village of Peit Papree also the same rule shall apply, and such firewood be removed a quarter of a mile from the village and dwelling-houses, is recorded .. .. .. .. .. .. .. | x. | 83- 84 |
| Notice by the Magistrate of Dharwar, prohibiting the natives of that zillah from entertaining foreigners in their service without permission from the Magistrates, his Assistants, or the Superintendent of Police .. .. .. .. .. .. .. | x. | 84- 85 |
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| Notice by the Magistrate of Broach, prohibiting furious driving and riding in the streets of the town and suburbs of Broach .. | x. | 348-349 |
| Notice by the Magistrate of Ahmednuggur, prohibiting persons of any class soever from burying their dead within the walls of the city of Ahmednuggur .. .. .. .. .. .. | x. | 525 |
| Notice by the Magistrate of Surat, prohibiting, under Section 19 Regulation XII. of 1827, steamers, pattimars, boats, &c. from anchoring, or dragging anchor, along the bottom of the Taptee river, where the Electric Telegraph cable is laid—namely, in a direct line from the telegraph office to the mast erected on the opposite bank, is recorded .. .. .. .. .. | x. | 584 |
| Notice by the Acting Magistrate of Broach, prohibiting persons from bathing, washing clothes, &c. in, or in any dirtying, the water of the tank called Phata Tulao, situated near the Kutapoor Gate, in the town of Broach, is recorded .. .. .. | x. | 652 |
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| Notice by the Acting Magistrate of Tanna, preserving for drinking purposes the water of a tank in the village of Loonoor, and prohibiting people accordingly from bathing, washing clothes, &c. in, or in any way dirtying, the water, is recorded .. .. | x. | 711 |
| Notice by the Magistate of Surat, prohibiting, under the provisions of Section 19 Regulation XII. of 1827, the flying of kites from the highroads and thoroughfares in the city of Surat .. .. | x. | 712 |
| Notice by the Acting Magistrate of Broach, cautioning the public that any person found throwing over the jail-wall opium, tobacco, and other articles, the use of which is forbidden to the prisoners, will be punished under Regulation XII. of 1827. The Court recommend other remedy and prevention for the evils complained of, as that by proclamation is not contemplated by the regulation for such matters .. .. .. .. .. | x. | 769-770 |
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| The summary of a case of bribery is, the Court observe, drawn up with great acuteness and ability by the committing Magistrate—Mr. Nourojee Byramjee .. .. .. .. .. | x. | 648 |
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| The first six paragraphs of a proclamation of the Acting Joint Magistrate of Nassick, for the preservation of cleanliness, and the prevention and removal of nuisances to prevent disease, being in the nature of a covenant, cannot be admitted, but to the three last, for the maintenance of cleanliness in the town of Nassick, there appears no objection .. .. .. .. | ii. | 105–106 |
| Ditto ditto ditto .. .. .. | ii. | 351–352 |
| The making of snuff in a house close to a public thoroughfare was prohibited by a notice served under Act XXI. of 1841, in consequence of the inconvenience arising to the public from the effects of the tobacco dust .. .. .. .. .. | iii. | 351–352 |
| Proclamation by the Magistrate of Dharwar, enjoining the due observance of cleanliness and decency, and prohibiting the commission of nuisance within the streets and thoroughfares and places of public resort .. .. .. .. .. | iii. | 459–461 |
| A proclamation by the Magistrate of Nassick, for the prevention of nuisances, and for the better preservation of cleanliness in the public streets and private premises and houses of individuals, is, because of an omission, directed to be withdrawn, and another issued, under Section 19 Regulation XII. of 1827, in the form given in circular order No. 426 .. .. .. .. .. | iv. | 42– 44 |
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| Clause 8 Section 19 Regulation XII. of 1827 does not require a proclamation to be issued by the Magistrate prior to impounding stray cattle; and it has been already remarked (vol. iv., page 200) that he is competent to treat 'poles' (vol. ix.) as stray animals .. .. .. .. .. .. .. .. | iv. | 721 |
| Notice by the First Assistant Magistrate in charge of Surat, prohibiting the throwing of filth, or refuse, of any kind into, or the commission of nuisance in, the streets of the town of Nassick .. .. .. .. .. .. .. .. | v. | 412–413 |
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| Objection is had to the second paragraph of a notice by the Magistrate of Tanna, in respect to the preservation of cleanliness, and removal of nuisances, and the sweeping of dhurumsalas, which is removed by the Magistrate's explanation that these places are to be kept clean by the owners, or attendants, of the cattle, who are lodged or picketed within them .. .. | vi. | 386–388 |
| Ditto ditto ditto .. .. | | 851–853 |
| The petition of certain leather-dyers in respect to an order of the Magistrate, directing their occupation to be carried on at some other than the present place, is rejected, the petitioners having failed to pursue the course laid down in Act XXI. of 1841 .. | vii. | 19 |

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| A Magistrate having appointed a 'punchayet' to report on a nuisance (that of tanning leather on certain premises within the town of Surat), was, by Section 3 Act XXI. of 1841, bound to abide by their decision, which was in favour of the tanners. He could not, disapproving of the finding of the 'punchayet,' appoint another to re-examine a matter already settled .. .. .. | vii. | 499 |
| Proclamation by the Magistrate of Ahmedabad, prohibiting filth, or rubbish of any kind, being thrown into the streets, drains, and thoroughfares .. .. .. .. .. .. .. | vii. | 753 |
| Order of the Magistrate of Ahmednuggur, directing the removal of manure from beside the houses within the town to some place or places there without .. .. .. .. .. .. | viii. | 79–81 |
| Parties having, in their opinion, cause to complain of the orders of a Magistrate in regard to the removal, or prevention, of local nuisances, should have proceeded under Section 3 Act XXI. of 1841, and have had a 'punchayet' appointed to try the question; but this not having been done, and there appearing no cause for interference, their petition is rejected .. .. .. .. | viii. | 81 |
| Notice to prevent conflagrations, the burning of rubbish, litter, and such like articles, one-quarter of a mile from houses, buildings, or other inhabited places .. .. .. .. .. .. | ix. | 212–213 |
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| Notice by the Magistrate of Broach, enjoining cleanliness and decency; prohibiting nuisance and the accumulation of rubbish, filth, &c. around, and in front of, houses; as also dirty water and the draining from closets, &c. to stagnate in open cesspools situated on the public roads, or in the vicinity of houses in the town of Broach .. .. .. .. .. .. .. | x. | 106–108 |
| Notice by the Magistrate of Broach, prohibiting stalls, or other sittings for the sale of wares, &c. in the narrow public streets of Broach .. .. .. .. .. .. .. .. | x. | 107–108 |
| The Court record a proclamation of the Magistrate of Surat, prohibiting the burning of dead bodies at, or near, a place called the Morano Koowo, under the assumption that he has allotted to the Hindoos another spot for cremation .. .. .. .. | x. | 665–666 |
| Notice by the Magistrate of Tanna, prohibiting, as a nuisance and as an injury to health, the drying of fish near the highroad .. | x. | 710–711 |
| Notice by the Magistrate of Surat, prohibiting the flying of kites from the highroads and thoroughfares in the town of Surat .. | x. | 712 |
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| Session Judges should have the numbers of the pages shown in the list of the papers forwarded in a case .. .. .. | i. | 644 |
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| The schedule of a pauper must contain, without reservation of any kind whatsoever, a list of everything he is possessed of. No option and no discretion are allowed a pauper as to what he should enter in his schedule .. .. .. .. .. | v. | 382-383 |
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| Suggested to the Magistrate of Poona whether, with reference to the return of the Session Judge of the Konkun, certain parties should not be prosecuted for conspiracy and perjury .. .. | ii. | 154 |
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| A witness sent to a Magistrate to be committed for perjury, is committed and sentenced to three months imprisonment with hard labour.. .. .. .. .. .. .. .. | ii. | 411 |
| A sentence in a case of forgery, aggravated by perjury, should have been more severe, and particularly at Poona, where such offences do, it is remarked, prevail .. .. .. .. | ii. | 502–503 |
| A prisoner, if indited at all, should have been charged with 'subornation of perjury,' and not with 'obstructing the course of public justice' .. .. .. .. .. .. .. | ii. | 557–562 |
| A witness is, for giving false evidence on a trial, remanded to the Magistrate by the Sessions Court that a charge of perjury may be preferred against him .. .. .. .. .. .. | iii. | 823–824 |
| A woman who was guilty, according to her own statement, of the concealment of murder before and after the fact, and had been examined as an accused person on a charge of murder, ought to have been pardoned before her evidence was taken; and it was not competent to cite her for the prosecution; for before she was pardoned, she was exempted by law from being called upon to state anything criminatory of herself. Her conviction and sentence for perjury are annulled .. .. .. .. | iii. | 868–869 |
| The conviction and sentence of a party tried for perjury are annulled, the Sudder Court considering that it was not sufficient proof of the alleged perjury to produce an opposite statement of the accused party also given on oath .. .. .. .. | iii. | 872 |
| Noticed in a trial for perjury, that as the case was not taken up for a month after commitment, all the witnesses should have been ready, to enable the Sessions Court to dispose of it in one day, whereas it is observed that three days were occupied in trying it .. .. .. .. .. .. .. .. | iv. | 176 |

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| When perjury is committed before several authorities, and finally before the Sessions Court, the offence before the Sessions Court should be the subject of the charge .. .. .. .. | iv. | 354 |
| Brought to the notice of the Magistrate the conduct of a Mookhee, or Patel, who admits he perjured himself before the Court .. | iv. | 984 |
| The specific perjury must be proved before the prisoner can be found guilty of subornation .. .. .. .. .. | iv. | 968 |
| Noticed on a trial for perjury, that it should have been more distinctly set forth that the prisoner had deposed on solemn affirmation .. .. .. .. .. .. .. .. | iv. | 971 |
| Two witnesses on a trial for murder are forwarded to the Magistrate that a charge of perjury may be preferred against them .. | iv. | 984 |
| In cases of perjury, imprisonment, as well as fine, should be awarded. as the latter may reach and affect the prisoner .. | v. | 115 |
| The inquiry into a charge of perjury being still in progress, the Sudder refuse, on the petition of the accused, to interfere .. | v. | 216 |
| Noticed that more exactness should have been observed before the prisoner was charged with, convicted of, and sentenced for perjury. | v. | 266–267 |
| The Sudder refuse to interfere in a charge of perjury under progress of investigation .. .. .. .. .. .. | v. | 316 |
| A man cannot be accused of perjury because he unauthorisedly puts a mark as another man to a deposition. It is possible he may commit forgery by doing so; but he cannot commit perjury. | v. | 363–364 |
| A man merely personating another, and giving his evidence under an assumed name, cannot be guilty of perjury, unless some part of that evidence is false .. .. .. .. .. .. | v. | 363–364 |
| To substantiate a charge of perjury, there should be shown a *mala fides* on the part of the accused, at least a deliberate intention to deceive .. .. .. .. .. .. .. | v. | 365 |
| A Session Judge was wrong in setting aside the house and bullocks of a labouring man as not necessary to be entered in his schedule when praying to sue as a pauper; for had the pauper only omitted these, he would have been liable to a charge of perjury .. | v. | 382–383 |
| A Mookhee, or Patel, convicted of perjury by the Sessions Court, is by the Sudder Court acquitted.. .. .. .. .. | x. | 407–411 |
| Witnesses need never be asked what the purport of a document is after they have proved it, unless there is reason to believe they are perjuring themselves .. .. .. .. .. .. | v. | 434 |
| A Session Judge and Deputy Magistrate are called upon to explain, the one how he came to prepare, and the other how he came to try and to convict, upon a charge of perjury, which has no foundation whatsoever in the deposition of the prisoner, in that that deposition does not show him to have made the statement with which he is charged .. .. .. .. .. .. | v. | 460 |
| Noticed instance in which a charge of perjury should have been merged in that of forgery .. .. .. .. .. .. | v. | 491 |
| A prisoner found guilty of perjury committed before the Session Judge trying a case in which he had no jurisdiction, is acquitted. | v. | 524–525 |
| A Moonsiff who had doubts in a case of perjury, should not have made the committal, but ought to have sent the case, together with his doubts, to the Magistrate, who would have committed the case or not, as it might appear to him right .. .. | v. | 598 |
| The proper form in which witnesses should be committed for perjury is, as soon as the witness's deposition is complete, to tell him 'you are committed to stand your trial on a charge of perjury, &c.' 'The prisoner states he has no witnesses to call in his defence, and a memorandum is therefore written to the Session Judge forwarding the prisoner and his depositions, and extract from the Court's proceedings.' 'The Karkoon who wrote the depositions will attend when sent for' .. .. .. .. | vi. | 842 |

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| The regulations do not require that, in order to constitute perjury, the false statement should be made with an intent to injure, or benefit, any body; it suffices that the statement is false .. | v. | 796 |
| A charge of perjury should never be tried, unless the very words the accused is said to have uttered are set forth therein .. | v. | 786 |
| Noticed the bad effect of not quoting in a charge of perjury the very words the accused is said to have uttered .. .. .. | v. | 786 |
| It is good defence in perjury when the prisoner can prove that an explanation was given, qualifying or limiting the first answer .. | vi. | 316 |
| Prisoners should not be put on their trial for perjury on two charges —one, in having deposed in the affirmative; and the other, in having deposed in the negative. The Judge should satisfy himself which statement is false, and try the prisoner for perjury in having made that statement .. .. .. .. .. | vi. | 316 |
| Noticed instance in which the conviction of a prisoner for perjury will not stand. He corrected what he had stated falsely the same day; but his original statement, and his retraction, are both separately charged as perjuries .. .. .. . | vi. | 316 |
| A mother, convicted of perjury to defend her son, had the sentence passed upon her mitigated by the Sudder to imprisonment for ten days .. .. .. .. .. .. .. .. | vi. | 527 |
| A sister convicted of perjury to defend her brother, had the sentence passed upon her mitigated by the Sudder to ten days imprisonment .. .. .. .. .. .. .. | vi. | 540 |
| Conspiracy and perjury should be punished directly as such under the regulations; not indirectly by demanding excessive security, and demanding forfeitures .. .. .. .. .. | vii. | 42 |
| Perjury is apparent while the witness is deposing, and instantaneous committal is not only practicable, but nearly the universal practice, and therefore the form of committal proposed in vol. v., page 598, of Morris's reports, will suffice for all ordinary occasions .. .. .. .. .. .. .. .. | vii. | 81 |
| Two prisoners were tried in one charge of perjury, because it so happened that they both perjured themselves in the same case on the same day; the offence of each, however, being as distinct as if it had been committed in a different case and place and day, the prisoners ought to have been tried separately. The proceedings are therefore annulled, and the case remanded, that the prisoners may be properly tried .. .. .. .. .. | vii. | 212 |
| Perjury and forgery are not among the offences contemplated by the regulations as rendering a man the object of public distrust, and to refrain from which recognisance or security may be demanded .. .. .. .. .. .. .. .. | vii. | 285 |
| The Sudder is quite satisfied with the rule in Russel's Crimes and Misdemeanours, vol. ii., page 622, that several persons cannot be joined in one indictment for perjury, the crime being in its nature several .. .. .. .. .. .. .. | vii. | 330 |
| Giving two contradictory statements on solemn affirmation does not necessarily amount to perjury .. .. .. .. | viii. | 336 |
| A fine of five hundred Rupees, or, in default, imprisonment with hard labour for six months, appears a light sentence in a case of perjury, in which, though the person against whom the prisoner appeared as a witness was his brother, still he was on his trial for the murder of another brother .. .. .. .. | ix. | 49 |
| A sentence of imprisonment with hard labour for eighteen months was most lenient for perjury committed in a case of murder .. | ix. | 404–413 |
| The fine in a case of perjury is remitted, as the sentence is heavy, and the fine in this instance falls on no other party than the prisoner, who revenge and lucre alone instigated to commit the crime .. .. .. .. .. .. .. .. | x. | 66 |

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| Noticed a case of perjury in which the charge should have shown the way in which the perjury was committed .. .. .. | x. | 67 |
| Six months of the imprisonment of a prisoner properly convicted of perjury is remitted, on account of his advanced age—sixty-five years .. .. .. .. .. .. .. .. | x. | 142 |
| Noticed instance in which a charge of conspiracy cannot hold; but one for perjury may possibly be preferred, and, if so, the parties should be tried and committed for that offence .. .. .. | x. | 301 |
| A Mookhee, or Patel, convicted of perjury by the Sessions Court, is by the Sudder Court acquitted .. .. .. .. .. | x. | 407–411 |
| Circular No. 491 requires, in cases of perjury, the very words of the accused to be stated in the charge .. .. .. .. | x. | 561 |
| A Police Patel convicted by the lower court of perjury, is by the Sudder considered guilty of misconduct only. The sentence passed upon him is therefore annulled, and the fine directed to be restored .. .. .. .. .. .. .. .. | x. | 603–604 |
| A man should not be tried for perjury, because the authority trying a case in which he was a witness for the defence obtained from him a statement which he did not come prepared to make, and which cannot, therefore, be held to be wilful .. .. | x. | 604 |
| Conviction of perjury obtained by the evidence merely of the plaintiff and of the person who wrote the bond, is annulled .. | x. | 612 |
| Person of bad character, Sharoo wulud Meerja .. .. .. .. .. .. | viii. | 114–115 |
| Personal Recognisance.—*See* "Recognisance." | | |
| Petamber Jeyta, and two others.—Receiving stolen property, knowing it to be stolen .. .. .. .. .. .. .. | x. | 51– 58 |
| Petty Assault.—*See* "Assault." | | |
| Petty Theft.—*See* "Robbery," "Stealing," "Theft." | | |
| Petition, | | |
| Rejection of a case on account of the petitioner's delay in appealing. | i. | 574–575 |
| A Magistrate is requested to inquire into and decide an appeal, and to report why he did not do so when applied to by the petitioner .. .. .. .. .. .. .. .. | ii. | 46 |
| A Magistrate's explanation of his refusal to entertain a petition is unsatisfactory. He should have received the petition, and called upon his Assistant to report; and not have made a petition—returned to the petitioner—a means of communicating with his Assistant .. .. .. .. .. .. .. .. | ii. | 49 |
| Noticed in a trial for extortion, that all the details set forth in the petitions of the witnesses should have been elicited and placed on record .. .. .. .. .. .. .. .. | ii. | 518–519 |
| Of Womanjee Narain to Government against a Magistrate's order is referred to the Sudder .. .. .. .. .. .. | ii. | 656–658 |
| A notice, notification, or injunction, in the form of an answer to a petition, cannot be considered to have the force of an order .. | iii. | 243 |
| Registers of petitions submitted to the Sudder Court should show the pleas entered by petitioners when on trial before the magisterial authorities .. .. .. .. .. .. .. | iii. | 385 |
| Noticed instance in which a petitioner's delay in appealing shut him out from the further interference of the Sudder Court .. | iii. | 547 |
| A petition praying to be allowed to visit a brother (a convict in the Poona jail) is referred to the Session Judge .. .. | iii. | 553–554 |
| Allowing a convict to petition the Sudder Foujdaree Adawlut .. | iii. | 565–567 |
| The Court see no reason why a convict should not be allowed to petition the Sudder, and direct accordingly that permission may be given him *to do so* .. .. .. .. .. | iii. | 566–567 |
| Noticed error in the plea column of the register of petitions, which makes it appear that the prisoner had pleaded 'guilty,' instead of 'not guilty' .. .. .. .. .. .. | iii. | 624 |

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| Petition on behalf of a brother .. .. .. .. .. | iv. | 142–143 |
| Petition to the Sudder against the order of a Magistrate, Hurree Gopal .. .. .. .. .. .. .. | iv. | 565–566 |
| The Court consent to receive a petition though beyond the time allowed by the Act, from the circumstance that the application was presented a week ago, but not received, owing to its not being drawn up in form .. .. .. .. .. .. | iv. | 236–238 |
| The inquiry into a charge of perjury being still in progress, the Sudder Court refuse, on the petition of the accused, to interfere. | v. | 216 |
| Noticed the discrepancies between an entry in the register of petitions, and the explanation of the Session Judge as to the number of lashes to be inflicted on the prisoner .. .. | v. | 508 |
| Petition against the proceedings of a Session Judge, Wamun Jeewajee .. .. .. .. .. .. | v. | 848–850 |
| Ditto ditto .. .. .. .. .. .. | vi. | 192–193 |
| Ditto ditto .. .. .. .. .. .. | vi. | 489–490 |
| Session Judges might save themselves and their establishments trouble, if, in handing up petitions from convicts, they were to mention in a report on them the misrepresentations, mis-statements, or contradictions, and the Court might then not think it necessary to call for the proceedings of the case .. .. | vi. | 84–85 |
| Petition of a convict to the Sudder Foujdaree Adawlut, Babajee Mahadeo .. .. .. .. .. .. | vi. | 782–783 |
| Petition against the decision of a Magistrate, Bhasker Venaik .. .. .. .. .. .. .. | vi. | 400–401 |
| The petition of certain leather-dyers was rejected, because they did not pursue the course laid down in Act XXI. of 1841 .. | vii. | 19 |
| On the petition of a party who had a copy of a registered bond, the Magistrate ought to have called upon the opposite party to produce the original, and have ascertained whether, as petitioner complained, it was a forgery or not .. .. .. .. | vii. | 61–64 |
| The law does not require that a petition for review should be accompanied by a copy of the decree .. .. .. .. | vii. | 436 |
| A petitioner not having brought, nor even having applied for, a copy of the order appealed from, no order can be given on his petition. | vii. | 559 |
| A party who had in a petition to the Revenue Commissioner threatened that, in the event of his prayer not being attended to, he would commit a breach of the peace, attended with bloodshed, should, as his character was bad, have been prosecuted under Section 35 Regulation XIV. of 1827 .. .. | viii. | 2 |
| A Magistrate ought to give a copy of the sentence, or order, in every case to a convict, or petitioner, as without that an appeal cannot be received .. .. .. .. .. .. .. | viii. | 178 |
| Petition for the restoration of a fine, Rungoo Mulhar .. .. .. .. .. .. .. | viii. | 291–293 |
| A petitioner is referred to sue in the civil court the Magistrate for the loss he has sustained .. .. .. .. .. | viii. | 31 |
| A petition, to refer a case for hearing to other than the constituted authority, is dismissed, and petitioner not appearing to receive an answer, his petition is to be sent to the Magistrate, with instructions to proceed against the petitioner, should he think a prosecution for perjury can be sustained.. .. .. .. | viii. | 617–620 |
| A petitioner's expulsion not having been made in proper form, he is at liberty to return whence expelled; and the Magistrate is at the same time informed, that if circumstances still require the petitioner's expulsion, he should proceed against him in accordance with the regulation .. .. .. .. .. | ix. | 85 |
| A Session Judge should have reported that a petitioner only reiterated in his petition what he had urged in the defence that he had set up in court, and that he had failed to establish it .. | ix. | 412–413 |

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| Held, in a case of conspiracy that, considering the time and circumstances under which the petition was presented, it contains a direct promise if the prayer be granted, and implied threat if it be denied—the conviction for that crime is good .. .. | ix. | 481 |
| A petitioner not having accounted for the delay in presenting his petition, the Court would not receive it .. .. .. .. | ix. | 593 |
| It is no business of the Court Karkoons to draw up petitions for prisoners, except by the Session Judge's orders; and the Karkoons ought not to be allowed to draw them up in their leisure hours, even if they choose.. .. .. .. .. .. | ix. | 593 |
| A petitioner is informed, that an appeal from the sentence passed upon him by a Deputy Collector for a breach of the Opium Farm Regulations lays to Government, not to the Sudder .. | ix. | 617 |
| As in a case of appropriation of property by breach of trust the complainant did not make the charge until so long a time as five months had elapsed, he should have been referred to the civil courts for redress .. .. .. .. .. .. | x. | 12 |
| A petitioner, in applying for the sale proceeds of a boat, is directed to prove his claim by a suit against the Magistrate .. .. | x. | 574 |
| For petitions in respect to "Crimes," "Fines," "Forfeitures," "Misdemeanors," "Nuisances," "Recognisance," "Security," &c. &c., *see* under those several heads. | | |
| For register of petitions, *see* "Register." | | |
| Phool, wife of Kunthapoonja.—Perjury .. .. .. .. .. | iv. | 460–465 |
| Phrases, | | |
| The use of such words and phrases as 'swindled out of his money,' &c. are objectionable .. .. .. .. .. .. | iv. | 234 |
| Phuta Akajee.—Forgery; and making use of a forged document, knowing it to be forged .. .. .. .. .. .. | iv. | 140–142 |
| Pilgrim, | | |
| The destruction of a 'dhurumsala,' or building for religious mendicants or pilgrims, is prohibited .. .. .. .. .. | v. | 184–185 |
| Piloorow bin Bapoojee.—Application for the revision of a dicision passed against him .. .. .. .. .. .. | iii. | 902–906 |
| Pinhey, R. H. W. | | |
| Noticed that the conduct of a trial by Mr. Pinhey evinces great promise of his making a very good Judge .. .. .. | v. | 393 |
| The observations of Mr. Pinhey in his review, as Session Judge, of the proceedings of a trial for conspiracy, are noticeable for the sagacity and penetration displayed in them .. .. .. | x. | 47 |
| Piran wulud Sheik Husun.—Uttering false coin; and coining money without authority from Government .. .. .. .. | ix. | 619–623 |
| Pirya bin Rawapa.—Destruction of a dwelling-house by fire .. .. | iii. | 466–468 |
| Place, | | |
| Noticed in a case of gang robbery, that the place where the robbery was committed is omitted in the charge .. .. .. | iv. | 225 |
| Plaintiff, | | |
| Conviction of perjury obtained by the evidence merely of the plaintiff and of the person who wrote the bond, is annulled .. | x. | 612 |
| Plan, | | |
| Noticed that the person who made a plan of the scene of murder, should have been examined to prove that it was a true representation of the several spots to which the witnesses had referred to in their depositions .. .. .. .. .. | ii. | 7 |
| Noticed that the plan of the scene of the murder is recorded without being proved .. .. .. .. .. .. .. | ii. | 7 |
| Plea, | | |
| Noticed instance in which the plea of guilty should have been recorded independent of the admission of the prisoner, for the mere admission recorded is not a distinct plea of guilty .. | i. | 165 |

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| In cases in which a prisoner pleads 'guilty,' the labour of a trial is lessened by attention to Clause 2 Section 37 Regulation XIII. of 1827 .. .. .. .. .. .. .. .. | ii. | 31 |
| A prisoner in a case of murder should not have been discharged without trial. The more correct procedure would have been to have recorded the prisoner's plea, proceeded with the prosecution, and, in the event of the evidence appearing insufficient for conviction, the prisoner, at its close, could have been acquitted. | ii. | 240 |
| Noticed instance in which a plea of 'not guilty' should have been recorded without qualification .. .. .. .. .. | ii. | 242 |
| A Session Judge, on recording an additional plea of 'guilty,' should have been careful that the evidence was, as prescribed by law, read over, and the admissions it contained duly confirmed; but that course not having been adopted, the proceedings are incomplete, and the conviction illegal .. .. .. .. | ii. | 545-546 |
| A discussion which took place on a trial in regard to the plea of a prisoner was unnecessary, if not unseemly .. .. .. | ii. | 545-546 |
| A Session Judge appears to have overlooked the fact that, though a prisoner's statement before the Police authorities amounts to a confession, his amendment of it before the Sessions Court is a denial of the charge .. .. .. .. .. .. | ii. | 548 |
| The refusal of the deceased to submit to a surgical operation was no plea in justification of the assailant, who should have been convicted of culpable homicide instead of murder .. .. | iii. | 207 |
| In two separate trials in the Belgaum division, two similar pleas have been advanced in excuse for murder .. .. .. | iii. | 287-290 |
| Ditto ditto ditto ditto .. | iv. | 13- 15 |
| Register of petitions submitted to the Sudder Court should show the pleas entered by petitioners when on trial before the magisterial authorities .. .. .. .. .. .. .. | iii. | 385 |
| Noticed as a grave mistake, that the plea column in the register of petitions made it appear that the prisoner had pleaded 'guilty,' whereas, from the original proceedings, it appears that his plea was distinctly 'not guilty' .. .. .. .. | iii. | 624 |
| As a prisoner gave no answer when arraigned before the Court, a a plea of 'not guilty' should have been recorded .. .. | iii. | 804-807 |
| The plea of the prisoner on trial for murder, that he was justified in cutting down the deceased, is, the Magistrate is requested to observe, the same as is advanced by another party in a separate trial for the same crime, reported at vol. iii., pages 287—290, of Morris's reports (*See* "Plea," vol. iii., pages 287—290) .. | iv. | 15 |
| The record should have shown what depositions were read over to a prisoner, and that he confirmed his plea after hearing them .. .. .. .. .. .. .. .. | iv. | 181 |
| The case of a woman illegally dispossessed of property by parties on the plea of preserving it for her son, should have been entertained by the Magistrate, who, if he did not punish the defendant, should certainly have replaced her in possession until she was dispossessed by law .. .. .. .. .. .. | v. | 155-160 |
| Ditto ditto ditto ditto .. | | 383-385 |
| It requires great care when recording a plea of 'guilty,' to see that the prisoner admitting the fact is aware of and admits the legal consequences, and that he takes them all upon himself.. .. | v. | 178-179 |
| It is clearly illegal to convict a prisoner on his plea of 'guilty,' which he retracts after hearing certain evidence read over. A Session Judge ought then to enter a plea of 'not guilty,' and commence the trial *de novo* .. .. .. .. .. | v. | 475 |
| Noticed the mistake of a Session Judge in having entered a plea of 'not guilty' for both prisoners, and in his finding recorded that one pleaded 'guilty,' and the other 'not guilty'.. .. .. | vi. | 400 |

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| The plea of intoxication would not, even if established, mitigate the crime of murder, and could not be urged in extenuation .. | vi. | 441 |
| Noticed instance in which, except a prisoner's confession and plea of 'guilty,' there is no proof against her whatsoever, and that, had she pleaded 'not guilty,' and denied her confession, she must have been acquitted .. .. .. .. .. .. | vi. | 408 |
| Noticed in a case of murder, that the plea of intoxication, even if established, would not mitigate the crime, and could not be urged in extenuation .. .. .. .. .. .. | vi. | 441 |
| Proceedings in which prisoners plead 'guilty' should be framed in accordance with Clause 2 Section 27 Regulation XIII. of 1827. | viii. | 49 |
| Recommended a form of record for prisoners who plead 'guilty'.. | viii. | 304–305 |
| The form of record adapted for a case in which a prisoner pleads 'guilty' is very inappropriate for one in which he pleads 'not guilty' .. .. .. .. .. .. .. .. | viii. | 304–305 |
| The prisoner pleading 'guilty,' the evidence of the witnesses need not have been taken to prove the depositions. It would have been sufficient to read the depositions and the prisoner's confession, and then, if he adhered to his plea, record the finding 'the prisoner guilty' .. .. .. .. .. .. .. | ix. | 49 |
| A prisoner professed not to remember a confession made before the Foujdar, but subsequently, of his own free will, admitted before the Court having wound his wife with intent to kill her, pleading, in extenuation of his offence, that he was under the influence of liquor. In such a case a plea of *not guilty* should have been recorded against the prisoner.. .. .. .. | ix. | 71 |
| Under the plea of 'mohtur,' if permitted, adultery might be practised with impunity .. .. .. .. .. .. | ix. | 75 |
| Noticed instance in which there was no necessity for recording a fresh plea and recommencing the trial. The prisoner pleaded guilty, and confirmed his confession after having had the evidence read over to him .. .. .. .. .. .. | ix. | 502 |
| A plea of guilty of killing the deceased in self-defence is a plea of 'not guilty of murder,' and should have been so recorded .. | x. | 159 |
| Pleader.—*See* "Counsel," "Vakeel." | | |
| Poison, | | |
| Attempt to commit murder by administering arsenic, or some other poisonous substance.. .. .. .. .. .. | ii. | 273–279 |
| A mother charged with, and convicted by the Sessions Court of, the murder of her child, by administering to him, while suckling, a small piece of opium, is by the Sudder Court acquitted .. | iv. | 87– 89 |
| The proclamation of a First Assistant Magistrate, prohibiting fish from being poisoned by putting noxious plants, or other articles, in rivers, or reservoirs of water, is by the Sudder Court considered premature, the season of the year being past to which it would apply, and the Magistrate of the zillah absent, until whose return it might be well deferred .. .. .. .. | vi. | 75 |
| Two parties charged with the murder of two boys by administering some poison, or deleterious substance to them in a quantity of dried dates and sugar, are by the Sudder Court acquitted .. | vi. | 300–309 |
| A father charged with the wilful murder of his son (a child of about two years of age), by administering to him a decoction of the 'ranеir,' or oleander-root, is by the Sudder Court acquitted .. | viii. | 295–300 |
| A party charged with the murder of a boy, by administering to him a small lump of arsenic, from the effects of which he died, is by the Sudder Court acquitted .. .. .. .. | ix. | 606–612 |
| Noticed in a case of alleged murder by poisoning, that the contents of the stomach only appear to have been subjected to examination, but the stomach itself should have been tested for traces of poison by arsenic .. .. .. .. .. .. .. | ix. | 611–612 |

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| A woman charged with attempt to commit murder, by administering to her husband red-lead, or some other destructive substance mixed previously with his food, is by the Sudder Court acquitted .. .. .. .. .. .. .. .. | x. | 129-139 |
| In acquitting persons of 'attempt to commit murder by poisoning,' the Judge should have pronounced distinctly that it was not proved that death was caused by any poison at all .. | x. | 138 |
| A woman charged with the wilful murder, and attempt to commit murder, in administering poisoned slices of mango to two girls, one of whom died in consequence, is by the Sudder Court acquitted .. .. .. .. .. .. .. .. | x. | 430-438 |
| Submitted for the approval of the Sudder, the adoption towards the Police Patel of Humgee, and two others, of the precautionary measures provided for under Section 38 Regulation XII. of 1827, these parties having absconded from their village on being charged with murder .. .. .. .. .. .. | x. | 472-474 |
| *See* also "Recognisance," "Security." | | |
| Poles, or bulls, which, in fulfilment of a vow, the Hindoos liberate to wander as they will, | | |
| Notification by the Magistrate, prohibiting bulls, known by the name of 'poles,' and other animals, from being let loose to wander in the streets of Poona .. .. .. .. .. | iv. | ¢ 197-201 |
| A Magistrate, acting under the authority of Clause 8 Section 19 Regulation XII. of 1827, is competent to treat 'poles' as stray animals .. .. .. .. .. .. .. .. | iv. | 200 |
| Police, | | |
| The finding of the Session Judge is noticed as being very meagre in a case in which, as so much depended on the testimony of the Police, he should have been especially careful in summing up .. .. .. .. .. .. .. .. .. | i. | 16 |
| A Magistrate is called upon to make inquiry and report upon the alleged ill-treatment of certain accused persons by the Police .. .. .. .. .. .. .. .. | i. | 24 |
| The substance of a prisoner's examination by the Police should have been given in the English proceedings of the Session Judge. .. .. .. .. .. .. .. .. | i. | 32 |
| Neglect of duty in a Police Patel and two Policemen in not tracing the footsteps of the perpetrators of a robbery; in omitting to examine the houses of the 'dharalas,' or armed classes; in having adopted no measures to discover the stolen property, or the thieves; and in having omitted to report the occurrence of the robbery .. .. .. .. .. .. .. .. | i. | 44- 46 |
| Act XI. of 1843 should not be applied to such offences as neglect of duty in the Police, but should be reserved for matters in which the interests of the revenue are affected .. .. .. | i. | 46 |
| Noticed the undue strictures of an Assistant Session Judge upon the Police, whose conduct he considers was praiseworthy, and the search which they instituted called for by the formal announcement they received of the perpetration of so grave a crime as murder .. .. .. .. .. .. .. | i. | 49 |
| Commended the zeal and ability of the Foujdar of Tanna and the Privates of the Police Corps in the investigatoin into a case of gang robbery .. .. .. .. .. .. .. | i. | 51 |
| The sworn deposition of a prisoner as evidence for the prosecution ought not to have been recorded, his examination before the Police on affirmation not being admissible against him .. | i. | 70 |
| Property required to be proved in a Sessions Court, should not be transported from one Policeman to another, as it hazards indentification .. .. .. .. .. .. .. .. | i. | 80 |
| Abuse of authority by a Police Karkoon and three Police peons. | i. | 93-101 |

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| A Police Karkoon committed for trial to the Sessions Court for 'abuse of authority,' should have been charged with, and tried by the Magistrate for assault, the offence of which he was accused not having been committed in the discharge or course of official duties .. .. .. .. .. .. .. | i. | 101 |
| Noticed instance in which a Policeman charged with 'misconduct,' should have been charged with 'theft' .. .. .. .. | i. | 103–106 |
| Noticed a Police peon having searched a house at night without any urgent necessity .. .. .. .. .. .. | i. | 108 |
| The 'sunnud,' or warrant of a Police officer, is recommended to be cancelled, for perpetrating, and encouraging others to perpetrate, an outrageous assault .. .. .. .. .. .. | i. | 142 |
| Misconduct of a Police Naik in concealing a woman charged with theft, of whom the Police were in search .. .. .. | i. | 202 |
| Noticed the illegal conduct of a party of the Guzerat Police Force, who, without any warrant, or excuse for intercepting and desiring a party to give up their arms, caused, by so doing, an affray, in which life was lost .. .. .. .. .. | i. | 264–271 |
| The evidence of the Police cannot be accepted to the extent of entirely exonerating themselves and condemning the accused .. .. .. .. .. .. .. .. | i. | 270 |
| Noticed the culpability of a Duffadar in the Guzerat Horse, and his unfitness to control parties of Police acting upon their own authority at isolated posts .. .. .. .. .. | i. | 271 |
| Contempt of the lawful authority of the Police .. .. .. | i. | 298–299 |
| Noticed instance in which the omission of the Police to secure the necessary evidence has prevented the trial of a prisoner for theft or robbery .. .. .. .. .. .. .. | i. | 345 |
| Receipt of a bribe by a Police peon .. .. .. .. | i. | 443 |
| Neglect of Police duty, in failing to prevent a robbery; to detect, or apprehend, its perpetrators; or to recover the stolen property .. .. .. .. .. .. .. .. | i. | 500–503 |
| Noticed the improper conduct of the Police in carrying away and detaining for fifteen days, from fifteen to twenty-five persons, when there was not the slightest evidence, nor even any suspicion against more than four of the number .. .. .. .. | i. | 563 |
| The Court most strongly reprimand Police officers for not only inducing prisoners to confess, but even seeking for confessions .. | i. | 564 |
| The Police, when they obtain a confession, frequently seek for nothing more; and then, when the confession is retracted, there is no evidence for conviction .. .. .. .. .. | i. | 564 |
| The Police ought to obtain evidence independent of confession .. | i. | 564 |
| The Police having no authority to pardon, must not hold out hopes of pardon for the purpose of inducing prisoners to confess. .. .. .. .. .. .. .. .. | i. | 564 |
| The Police should endeavour, not to seek confession from any particular individual, but to find such evidence in the case generally as shall attach the offence incontrovertibly to some person or persons .. .. .. .. .. .. .. | i. | 564–565 |
| Abuse of authority as a Police officer in taking two hundred Rupees from a prisoner who had robbed his master .. .. | ii. | 20 |
| Noticed instance in which the evidence of the Police ought to have been taken as to the discovery of the stolen property in the house of the prisoner .. .. .. .. .. .. | ii. | 51 |
| Noticed by the Sudder the great neglect of the Police, who, in a case of murder, never sent up the fisherman who found the corpse .. .. .. .. .. .. .. .. | ii. | 74 |
| Noticed the improper conduct of a Thanna, or Police Karkoon, in taking a note from a prisoner at the time of his apprehension .. .. .. .. .. .. .. .. .. | ii. | 111 |

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| Noticed that the preliminary investigations in a case have not been conducted in a way at all creditable to the Police, and that, owing to this, a prisoner had escaped conviction and punishment.. .. .. .. .. .. .. | ii. | 271–272 |
| Remarked the neglect of the Police in not holding an inquest on the body of a deceased woman .. .. .. .. .. | ii. | 272 |
| Commended the promptitude with which the preliminary investigations in a case of murder were conducted by the Acting Senior Assistant Magistrate (Mr. Bosanquet) and the Joint Police Officer of the Barsee talooka .. .. .. .. | ii. | 373 |
| A proclamation directing the people of the Kusba, or village of Goohagur, not to move abroad without a lantern on dark, cloudy nights, between the hours of 10½ P. M. and 4½ A. M., is disapproved, as inflicting a tax upon the whole village because the Police are not furnished with lanterns .. .. .. .. | ii. | 453–456 |
| Noticed instance in which the Police authorities ought to have tested the prisoner's confessions .. .. .. .. .. | ii. | 517 |
| Misconduct and neglect of duty in three Policemen, who failed to attack and seize four thieves who had shot one of their comrades and escaped .. .. .. .. .. .. .. | ii. | 521–523 |
| Concealment after the fact, in failing to give notice to the Police of the purchase of two girls, is not penal .. .. .. | ii. | 546 |
| A Session Judge appears to have overlooked the fact that, though a prisoner's statement before the Police authorities amounts to a confession, his amendment of it before the Session Judge is a direct denial of the fact .. .. .. .. .. .. | ii. | 548 |
| Pointed out to a Session Judge certain evidence which the Police authorities do not appear to have examined, but that he should take.. .. .. .. .. .. .. .. | ii. | 548 |
| A Session Judge is directed to make over to the Police certain prisoners, who he should have sent to be dealt with by that department.. .. .. .. .. .. .. .. | ii. | 644 |
| Commended the tact and energy of the Police in tracing out the perpetrators of a robbery .. .. .. .. .. .. | iii. | 91 |
| Noticed that, however blamable the delay in the conduct of the case in question by the magisterial department and Police, the delay observed also in the return of a document by the Sessions Court is not explained .. .. .. .. .. | iii. | 156–157 |
| Attempt to commit murder on certain of the Poona City Police while engaged in the lawful discharge of their duty .. .. | iii. | 251–255 |
| Commended the promptitude and intelligence of the Police in following up, and their subsequent investigation of, a case of murder. | iii. | 251 |
| A Police sepoy convicted of robbery, and receipt of stolen property, while employed as one of a party to guard the treasury of a Mamlutdar, is by the Sudder sentenced to receive twenty-five stripes, and five years imprisonment with hard labour.. .. | iii. | 286 |
| The witnesses for the defence not being present, their examination before the Police ought not to have been recorded .. | iii. | 331 |
| Noticed in a case of robbery, attended with murder, that there appears to have been no Police evidence as to the discovery of the body .. .. .. .. .. .. .. | iii. | 364 |
| Neglect of duty as Village Police, in failing, through negligence and delay, to apprehend the offenders in a robbery .. .. | iii. | 530–533 |
| Noticed instance of a gang robbery in which four sepoys of the Ahmednuggur Police Force are convicted of conspiring with one of the gang of robbers to implicate innocent persons in that crime, by placing in their houses articles stolen on the occasion, and pretending to find them there .. .. .. .. | iii. | 595 |
| No advantage to the public can result from the minute divulgement of the Police as to how they obtain their evidence .. | iii. | 595 |

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| The Court, considering that the evidence of the Police officers given in a case of gang robbery is open to much suspicion, acquits all the prisoners against whom no independent testimony is recorded .. .. .. .. .. .. .. .. | iii. | 602 |
| Commended the zeal and promptitude displayed by Captain Henry in investigating and exposing the conduct of the Police in two cases of gang robbery .. .. .. .. .. .. | iii. | 603 |
| The proceedings of some of the members of the Ahmednuggur Police appear so very questionable in certain recent cases of gang robbery, that the Court resolve to lay all the cases before Government for such notice as may be deemed requisite by the executive .. .. .. .. .. .. .. .. | iii. | 605 |
| Murder, and aiding in a murder, by the Police, to extort confession .. .. .. .. .. .. .. .. | iii. | 624–660 |
| The proceedings in a case of murder are to be laid before Government with reference to the conduct of certain of the Nassick Police Force, who are implicated.. .. .. .. .. | iii. | 660 |
| Misconduct of a Police officer in taking a bribe to release a prisoner. | iii. | 662–666 |
| Hard labour cannot be added to imprisonment for receiving, as a Police officer, a bribe .. .. .. .. .. .. | iii. | 666 |
| One-third of a fine imposed for breach of excise, in having illegal possession of opium, is awarded to be given, if realised, to the Police informer .. .. .. .. .. .. .. | iii. | 674 |
| Found, from the disclosures in a trial for murder, that Police officers too frequently write down in their own words, and not in those of the witness, the general impression which they receive from the deposition given .. .. .. .. | iii. | 710 |
| The suspicion attaching to the mother of a man accused of murder, fully justified her retention in custody by the Police .. .. | iii. | 722–723 |
| Commended the prompt investigations of the Police in a case of gang robbery .. .. .. .. .. .. .. | iii. | 773 |
| Ordered by Government that the Magistrate be directed to inquire into the conduct of the Ahmednuggur Police Force, with a view to such summary and severe examples being made as may tend to put a stop to similar disgraceful conspiracies .. | iii. | 791 |
| A conviction could not be allowed to take place on the unsupported testimony of a woman, who admitted having accused another prisoner falsely, because she thought it would be pleasing to the Police .. .. .. .. .. .. .. | iii. | 834 |
| The attention of the Magistrate is called to the very inexcusable assault and ill-treatment by the Police of two persons suspected of an attempt to commit robbery, by night .. .. .. | iii. | 876 |
| The charge of bribery against a Police writer ought to have been inquired into, and disposed of, by the Magistrate; but instead of that, it was dismissed without any decision on the merits, and the prisoners who adduced and supported the accusation against the writer have now been prosecuted for conspiracy .. .. | iv. | 7– 11 |
| Observed in a case of conspiracy, that the evidence against the prisoners is Police evidence, in support of a Police prosecution, to clear the character of a Police Karkoon, their accusation against whom had been dismissed without being inquired into and formally disposed of by the Magistrate, the prisoners are to be discharged .. .. .. .. .. .. .. | iv. | 7– 11 |
| The influence of the Mahajun community in Kupurwunj is so great as to be thought to influence the Police in their investigations.. | iv. | 87 |
| Misconduct as a Police officer .. .. .. .. .. | iv. | 121–122 |
| The petition of a party (Manoel deSouza), punished by the Magistrate *departmentally* for imputed misconduct in the Police department, is rejected, as the superintendence of the Police is no longer vested in the Sudder Foujdaree Adawlut .. .. | iv. | 122 |

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| Misconduct of a Private of the Kolee Police in falling asleep on his post while sentry on the Magistrate's jail .. .. .. | iv. | 278–281 |
| The attention of the Magistrate is drawn to the conduct of the Police, who, professing to have searched a house, did, notwithstanding, make no official search within it .. .. .. | iv. | 427 |
| Misconduct as Police officers, and theft; in going to the houses of three persons, opening the doors, entering the houses, catching hold of, and beating and carrying along with them three women they afterwards allowed to go away, and forcibly carrying away a hen .. .. .. .. .. .. .. | iv. | 428–432 |
| Noticed the improper conduct of a Police Patel in delegating to common Policemen the examination he should himself have conducted .. .. .. .. .. .. .. .. | iv. | 439 |
| The practice of Police officers delegating the examination of prisoners accused of crime to their subordinates of the lowest class should be strictly forbidden .. .. .. .. .. | iv. | 440 |
| Noticed the impropriety of the Police in having called in a blind man to serve as a juror on an inquest .. .. .. .. | iv. | 480–489 |
| Noticed in a case of murder, that the evidence has been damaged as much as possible by the Police, and owes as little to them as it is well possible to conceive .. .. .. .. .. | iv. | 480–489 |
| A reward of fifty Rupees is awarded to the family of a Policeman who died from the injuries he received in endeavouring to apprehend a prisoner.. .. .. .. .. .. .. | iv. | 601 |
| The petition of the Thakore of Sanund (headed in the reports 'Police'), complaining of a 'chowkee,' or guard of the Police Corps, having been placed over a room forming part of the Durbar residence, and that some of his 'wanta' lands had been attached, is rejected by the Sudder, as pertaining exclusively to the Police .. .. .. .. .. .. .. .. | iv. | 721–722 |
| Mr. Warden's remarks on the brutal murder of a Police Karkoon. | iv. | 726–727 |
| Noticed instance in which the roughness of the Police, and their wish to bring prisoners to justice, led to the commission of acts which, exciting the jealousy and hatred of the male population, occasioned the frightful murder of a Police Karkoon .. .. | iv. | 723–727 |
| The notice of the Magistrate is directed to the ignorance displayed by the Police authorities, on the occasion of a murder, as to the purpose for which an inquest should be assembled in such cases .. .. .. .. .. .. .. .. | iv. | 731–732 |
| The attention of the Magistrate is drawn to the compromise of crime said to have been permitted and encouraged by the Police, with a view to his adopting such measures as may seem desirable towards preventing a recurrence of proceedings so calculated to render nugatory the administration of the law .. .. .. | iv. | 740–743 |
| Misapplication of authority, and misconduct as a Police Officer .. | iv. | 747–751 |
| Misconduct of a Native Police officer (Sherishtedar) .. .. | iv. | 755–761 |
| The attention of the Magistrate is called to the Police who allowed a murderer to escape in the first instance, although he approached so near as to strike the Kotwal .. .. .. .. .. | iv. | 777 |
| The Police officer who apprehended a prisoner for murder should have been forwarded to the Sessions Court, as enjoined by circular No. 400 .. .. .. .. .. .. .. | iv. | 836 |
| A Magistrate is apprised of the remissness with which a Police peon, placed on guard at the house of a woman accused of murder, discharged his duty .. .. .. .. .. | iv. | 867 |
| Observed in a trial for robbery, accompanied with murder, that the conduct of the subordinate Police officers appears to have been most reprehensible .. .. .. .. .. .. | iv. | 985–986 |
| It is always ill-judged in the Police in such cases as murder, to make all by-standers and spectators prisoners .. .. .. | v. | 32 |

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| Abuse of authority as officers in the Police department; in having pinioned a woman and given her a kick on the chest in order, to extort confession of a theft .. .. .. .. .. | v. | 33- 40 |
| Noticed the ill-treatment of a woman by the Police to extort confession, and the utter disregard of a Foujdar to her cries and entreaties .. .. .. .. .. .. .. | v. | 35- 38 |
| Noticed as bad, and to be prohibited, the practice of allowing female prisoners to sleep all night in the room with the Police who guard them .. .. .. .. .. .. .. | v. | 37- 38 |
| Misconduct as a member of the Police department; in having remained absent from his duty from the 9th September to the 24th October 1854 under false pretences. His sentence of two months imprisonment the Court disapproves of as very severe. | v. | 86- 87 |
| The unjustifiable seizure and carrying off of money by a Police officer on mere and unwarrantable suspicion of its being stolen, is the exciting cause of a riot and breach of the peace .. .. | v. | 242 |
| Commended the activity and energy displayed by the Police in tracing out the perpetrators of a gang robbery, and recovering so much of the property stolen .. .. .. .. .. | v. | 514 |
| Extortion; and abuse; and misapplication of authority as Police officers .. .. .. .. .. .. .. | v. | 538–542 |
| A Foujdar, having heard of a Police peon's exactions at the several gates of a town, should have taken measures to have discovered him in the fact, and to have had him punished before .. .. | v. | 542 |
| Extortion on the part of a Police Jemadar.. .. .. .. | v. | 589–595 |
| A Magistrate is directed to report how a case, charging a Police Jemadar with extortion, came to be delayed from the 5th July 1853 to the 9th March 1855, and whether the accused Jemadar was doing duty during that time or not .. .. | v. | 594–595 |
| Wilful murder of a Police Shetsundee .. .. .. .. | v. | 620–627 |
| Official misconduct and abuse of authority as Police officers; in having liberated parties charged with having forcibly robbed a woman, and with having endeavoured to thwart the ends of justice by concealing the above crime, and not reporting it to the proper authorities .. .. .. .. .. | v. | 649–656 |
| Misconduct as an officer in the Police department; and abuse of authority; assault; and aiding in assault; in torturing a prisoner to extort confession .. .. .. .. .. .. | v. | 720–726 |
| Noticed the misconduct of the Shetsundee Police in leaving their guard and every avenue open for the departure of the prisoners over whom they were placed .. .. .. .. .. | vi. | 9 |
| Ditto ditto ditto ditto .. | vi. | 80 |
| Abuse of authority as a Police officer; in torturing a prisoner to extort confession .. .. .. .. .. .. .. | vi. | 107–116 |
| Injunction to prevent the public roads from being contracted by the erection of sheds, or awnings, is held to be a matter of Police, in which the Court cannot interfere .. .. .. .. | vi. | 119–120 |
| The Police peon who took, not the man who gave, six annas to be freed from seizure as a witness, was guilty of an offence; and the giver, moreover, could not in this case be held guilty of instigating to commit bribery .. .. .. .. .. .. | vi. | 160 |
| Noticed in a case of murder by poisoning, that the Police, in making search into some matters, overlooked the most essential point—that of examining the earthen-pot, or vessel, for proof of the poison with which the dates and sugar are said to have been mixed .. .. .. .. .. .. .. .. | vi. | 309 |
| Noticed that the Police of Tanna appear to have nothing to do, and do nothing .. .. .. .. .. .. .. | vi. | 319 |
| A Deputy Magistrate should require from the Police proof that a robbery had been committed .. .. .. .. .. | vi. | 320 |

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| Brought to the notice of a Magistrate, the apathy and neglect of duty on the part of the Police, to which the death of a man in an affray may be attributed .. .. .. .. .. | vi. | 392 |
| Misconduct as Police officers; in endeavouring to extort confession by torture; in omitting to mention the discovery of a knife, with hair attached to it, being a part of the property stolen; and reporting to their superiors as if no robbery had occurred.. | vi. | 886-888 |
| When complaint of a robbery having been committed is brought before a Police officer, or Magistrate, it is not the duty of those officers, in the first place, to require the complainant to establish the fact that he was ever possessed of the property, for in that case the robbers might escape; but to apprehend the persons supposed to have committed the crime, and if they prove their innocence, it is then time enough to inquire whether his charge is not utterly groundless .. .. .. .. .. .. | vii. | 63 |
| A prisoner's detention, merely because the villagers and Police do not do their duty, is refused .. .. .. .. .. | vii | 568 |
| The Court cannot see the use of requiring security from a man said to be so expert as to elude the vigilance of the Police, and to effect his depredations without affording a clue sufficient for conviction .. .. .. .. .. .. .. .. | vii. | 572 |
| A case of assault is directed to be laid before Government with reference to the conduct of three of the assailants, who are Policemen .. .. .. .. .. .. .. .. | vii. | 633 |
| Insolence and abuse towards a Police officer while in the execution of his duty .. .. .. .. .. .. .. | vii. | 713-723 |
| Petty assault committed by three men of the Tanna Police and a sepoy of the Adawlut at that station .. .. .. .. | vii. | 754-755 |
| An assault by certain Policemen, which the Magistrate calls petty, the Government consider serious, ordering the instant dismissal of the Policemen .. .. .. .. .. .. .. | vii. | 754-755 |
| An order by Mr. Forjett to the Belgaum Police is directed to be cancelled, as holding out a premium to the Police to shed blood, one of that body having already referred to it as a justification when tried on charge of murder .. .. .. .. .. | vii. | 758-759 |
| A Magistrate, on being instructed to withdraw an order by Mr. Forjett to the Belgaum Police, is informed that this does not prevent his issuing any order that might tend to encourage the Police, provided it does not, as Mr. Forjett's order, hold out a premium to shed blood .. .. .. .. .. .. | vii. | 758-759 |
| Keeping a man in custody, and letting the Police question him, is not the proper way to trace stolen property .. .. .. | vii. | 772 |
| A Session Judge should watch attentively that no improper means or influence are used to obtain confessions; and if he find that any have been used, he should reject the confession and all that resulted from it, the fault resting with the Police, should a guilty man escape for using improper means to obtain evidence .. .. .. .. .. .. .. .. | vii. | 778-779 |
| Appeal against the Police department .. .. .. .. | viii. | 8 |
| Government, concurring with the Commissioner of Police, direct the immediate release of a Policeman convicted of, and confined for, culpable homicide, and who the Government consider to have merited reward, rather than punishment, and, at all events, direct that he should not be deprived of his pay during the period of his incarceration .. .. .. .. .. .. .. | viii. | 16 |
| Misconduct as Police officers; in removing a quantity of liquor entrusted to their charge, and putting therein water to screen a liquor-vendor .. .. .. .. .. .. .. | viii. | 200-201 |
| The conduct of the Police is noticed as deserving commendation in a case of robbery, with force, by night .. .. .. | viii. | 252 |

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| When the Police receive information and act upon it, all that the trying authority has to do, is to see what was the result of the information given to the Police—that is, to inquire into what happened in consequence of the information received .. | viii. | 252-253 |
| Noticed the objectionable practice, on the part of the Police, of seeking for no other information than that which they can obtain by examining the prisoner .. .. .. .. .. | viii. | 497 |
| Abuse of authority as Police officers; in maltreating people to extort confession .. .. .. .. .. .. .. | viii. | 568-572 |
| Misconduct as a Police officer; in receiving a bribe .. .. | viii. | 575-576 |
| Gross neglect of duty as Police officers; in wilfully and knowingly giving a false report of a woman who had died from hanging, and who had been purposely mutilated and maltreated.. .. | ix. | 327-335 |
| The Guzerat Police, especially that of Ahmedabad, requires every support, and the 'jhamplee bund' should be strictly maintained and extended .. .. .. .. .. .. .. | ix. | 370 |
| Noticed in a case of murder, that very great blame is attributable to the village and district Police for not sending a party severely injured in an assault to the civil hospital.. .. .. .. | ix. | 377 |
| Noticed that a case of culpable homicide was defectively investigated by the Police .. .. .. .. .. .. | ix. | 593 |
| Noticed in a case of wilful murder, that the village Police were greatly in fault in not coming to the deceased on being appealed to by his wife, and taking his deposition before he died .. | x. | 209 |
| Conspiracy; in fraudulently obtaining, as Police officers, from the owners of the stolen property, a deed binding them to pay five hundred Rupees to the persons who should discover the property, and after having done so, inflicted *further* torture on a party they had before tortured for the purpose of extorting a confession from him of his having committed the robbery .. .. .. | x. | 531-552 |
| Noticed the candid and praiseworthy avowal of a Police Jemadar, and the very contrary behaviour of a Police peon .. .. | x. | 665 |
| Statements taken before a Police officer in the absence of the accused, cannot be considered as depositions to be used against him on a trial before a District Police Officer, or an Assistant Magistrate .. .. .. .. .. .. .. .. | x. | 680 |
| *See* also "District Police Officer," "Komavisdar," "Koolkurnee," "Magistrate, "Patel," "Peon." | | |
| Political Agent, | | |
| A Magistrate cannot decline to inquire into a charge within his jurisdiction to dispose of, and an application to the Government, or Political Agent, in a neighbouring state cannot give him jurisdiction, if he do not, as a Magistrate, possess it .. .. | vi. | 914 |
| Certain British subjects, whose trial in the Rewa Kanta territory is annulled, are directed by Government to be made over to be tried by the Magistrate of Kaira and Session Judge of Ahmedabad, before the former of whom the Dufturdar of the Rewa Kanta may be instructed, through the Political Agent, to appear to conduct the prosecution .. .. .. .. .. | vii. | 372-373 |
| Pooja.—Religious feast, or festival, | | |
| Abolition of the 'bagad,' or 'churkhpooja,' in Khandeish.. .. | vi. | 492 |
| Ditto ditto in Sholapore .. .. | vi. | 523 |
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| Ditto ditto at a temple in Belgaum .. .. | vi. | 876 |
| Ditto ditto at a fair and 36 villages of Colaba .. | vii. | 124-126 |
| Ditto ditto in Ahmedabad .. | vii. | 126-127 |
| Ditto ditto in Belgaum .. .. | vii. | 130-131 |
| *See* also "Notice." | | |
| Poojaree bin Gopalah, and four others.—Gang robbery, with force, by night .. .. .. .. .. .. .. .. | iii. | 468-469 |

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| Pool, | | |
| The proclamation of a First Assistant Magistrate in charge, prohibiting the poisoning of fish by putting noxious plants, or other articles, in river, pool, tank, well, or other reservoir of water which is used for drinking by man, or beast, is by the Sudder Court considered premature, the season of the year being past to which the notice would apply, and the Magistrate of the zillah absent, until whose return the order might well be deferred .. .. .. .. .. .. .. | vi. | 78 |
| Notice by the Magistrate of Tanna, prohibiting persons from bathing, washing clothes, &c. in, or in any way dirtying, the water of a pool in the river Pluspay .. .. .. .. .. | ix. | 184 |
| Notice by the Magistrate of Surat, retaining for drinking, and prohibiting persons from raising the mud with fishing-net, or in any way dirtying and rendering unfit for use the water of the Dhundura pool .. .. .. .. .. .. .. | x. | 8- 9 |
| *See* also "Injunction," "Notice," "Order," "Proclamation." | | |
| Poona, | | |
| Suggested to the Magistrate of Poona whether, with reference to a return of the Session Judge of the Konkun, No. 678, of the 7th June 1854, certain parties should not be prosecuted for conspiracy and perjury .. .. .. .. .. .. | ii. | 154 |
| Noticed that a sentence for forgery, aggravated by perjury, should have been more severe, particularly at Poona, where such offences are said to prevail .. .. .. .. .. .. .. | ii. | 502-503 |
| Attempt to commit murder on certain of the Poona Police while engaged in the discharge of their duty .. .. .. .. | iii. | 251-255 |
| A Magistrate had no power to forbid, even at the requisition of the Superintendent of Police, a native resident of the city of Poona, from going within the camp limits of that city, nor to take security from him to that effect .. .. .. .. .. | v. | 50 |
| Poonjabhaee Dwakeedas.—Official misconduct, and abuse of authority. | i. | 218-220 |
| Poonja Hameer, and another.—Forfeiture of security bond .. .. | iii. | 784-786 |
| Poonrow Tegrow, and four others.—Murder; and serious assault .. | viii. | 652-660 |
| Poorandhur, | | |
| Prisoners escaping from the fort of Poorandhur are not held to have escaped from custody, as no restraint was broken through, the door of their apartment being left open, and the peon on guard being absent or asleep .. .. .. .. .. | vi. | 9 |
| Noticed the neglect of duty apparent in the preparation of a case of murder by the Poorandhur Police Amuldar .. .. .. | vi. | 466 |
| Pootlia bin Tania.—Murder .. .. .. .. .. .. | v. | 181-183 |
| Pootla bin Nungunda, and two others.—Murder .. .. .. | ix. | 253-265 |
| Possession, | | |
| Giving possession by the Magistrate of a house .. .. .. | ii. | 22- 23 |
| A house in dispute not being a tenure nor premises within the meaning of Act XVI. of 1838, that Act, therefore, was inapplicable to the case, and the only law which justified the Magistrate's interference was Section 16 Regulation XII. of 1827 .. | ii. | 23 |
| Giving possession by the Magistrate .. .. .. .. | ii. | 45- 49 |
| Noticed a District Police Officer having taken possession of property without sufficient cause .. .. .. .. .. | ii. | 49 |
| An Assistant Magistrate's order, directing the Mamlutdar (in a case of disputed property) not to interfere, and to return the documents to the person from whose possession they were taken, was correct .. .. .. .. .. .. .. | ii. | 47-49 |
| A man found, soon after a robbery, in possession of the stolen property, is, it may be presumed, the thief, unless be proves that he has become possessed of it in some other way than by stealing .. .. .. .. .. .. .. .. | ii. | 511 |

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| Lingowa kom Busee solicits the restoration of her house, it having been summarily given into the possession of another party .. | ii. | 720-723 |
| Order of a Magistrate assigning possession of property .. .. | iii. | 472-473 |
| Illegal possession of opium .. .. .. .. .. .. | iii. | 673-674 |
| One-third of a fine imposed for 'illegal possession of opium' is awarded to be given, if recovered, to the Police informers .. | iii. | 674 |
| Possession of property given by the Magistrate, | | |
| Booda Durgajeeshet .. .. .. .. .. .. | iii. | 674-675 |
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| Application to the Magistrate of Nassick for possession of property, of which the party (a woman) declares she was forcibly dispossessed .. .. .. .. .. .. .. .. | v. | 155-160 |
| Ditto ditto ditto ditto .. | v. | 383-385 |
| In the case of a woman illegally dispossessed of property by parties on the plea of preserving it for her son (a minor), it is held that the case should not have been entertained by the Magistrate, who, if he did not punish the defendants, should certainly have replaced the woman (which he is now directed to do) in possession of the property, until she is dispossessed by law .. .. | v. | 155-160 |
| Ditto ditto ditto ditto .. | v. | 383-385 |
| A party in possession of land, over which he held a mortgage, should not, because his right of possession was contested by another, have been ejected by the Magistrate, who, instead of interfering as he did, should have referred the non-occupying disputant to the civil court. The Magistrate's order is reversed, and the party who he dispossessed directed to be put in re-possession .. .. .. .. .. .. .. .. | v. | 225-226 |
| The schedule of a pauper must contain, without reservation of any kind whatever, a list of everything he is possessed of. No option and no discretion are allowed a pauper as to what he should enter in his schedule .. .. .. .. .. | v. | 383 |
| The regulations do not punish people for being in possession of, but for receiving, stolen property.. .. .. .. .. | v. | 525 |
| A person having been acquitted of the charges preferred against him, no delay ought to have taken place in giving him possession of the property found in his house, and which was suspected, but not proved, to be stolen .. .. .. .. .. | v. | 848 |
| Order of a Magistrate in a case of disputed possession .. .. | vi. | 759-761 |
| Appeal against the orders of a Magistrate giving possession of property .. .. .. .. .. .. .. .. | vii. | 525-535 |
| Property found in the possession of a prisoner he previously and repeatedly asserted was not his, nor was it claimed by, nor proved to be the property of, his uncle, to whom the prisoner at first declared it to belong. These statements the prisoner subsequently retracted, and declaring the property to be his, did, when acquitted, claim it. And in this case also, the Sudder, adhering to their original finding, held that the property found in the possession of the prisoner should, no other parties appearing to make good their claim, be made over to that prisoner on his acquittal .. .. .. .. .. .. .. | vii. | 562-566 |
| Ditto ditto ditto ditto .. | vii. | 733-735 |
| A Magistrate is, in respect to certain property within the Court, informed that he can adopt the views already given him by the Sudder, or act in any other way, and make the property over to any other person, if he think such person has the better right, and feel that he can justify his proceeding should it be hereafter questioned .. .. .. .. .. .. | vii. | 565 |
| Disputed right of possession .. .. .. .. .. .. | viii. | 612-614 |

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| In a dispute regarding property, the Magistrate ought not to have gone into the question of ownership. If a party in possession locked up a house, he who, during his absence, put a lock over it, should be obliged to remove it, and be referred to the civil court to establish his claim .. .. .. .. .. | vii. | 613-614 |
| All a Magistrate had to do when a prisoner was acquitted, in whose possession property had been found, was to see the property placed in the same position as it was before the prisoner was taken up, and to have left those who thought they had any claim to it, to establish their claim by a civil suit .. .. | vii. | 735 |
| A Magistrate was distinctly told that property, in the absence of any one proving a better title to it, belongs, of course, to the person in whose possession it was found; yet, by giving it, or a part of it, to him who the Magistrate thought was the lawful proprietor of it, he has complicated the case, and rendered himself and the other party liable to be sued for its restoration .. .. .. .. .. .. .. .. | vii. | 735 |
| Noticed, in reference to a dispute regarding a house, that the Magistrate and his Deputy have no power to give possession of immoveable property to any one .. .. .. .. .. | viii. | 109 |
| Property, against the dispossession of which all diligence was made in appeal, should not have been made over to the opposite party, from whom, the decision having been reversed, restitution of the property, or of its value, must be obtained .. .. | viii. | 119-124 |
| A Magistrate was wrong in putting the man into possession of any part of the field which was under cultivation and of the crops upon it, the order for execution being, that if the land was not under cultivation, it should be made over to him; the Court therefore reverse the Magistrate's order, and direct the restoral of the grain to him from whose possession it was taken, leaving both parties to sue, if they desire it, in the civil court—one for the damages that may have been sustained by the removal of the crops; the other for any damage he may have sustained by being improperly put out of possession of the field.. .. .. .. .. .. .. .. .. | ix. | 210-211 |
| Possession of property given by the Magistrate .. .. .. | ix. | 555-558 |
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| An Assistant Magistate should not have interfered in the possession of property otherwise than by referring the parties to a civil suit. | x. | 304 |
| Post Office, | | |
| Under the circumstances stated by the Judges of the Sudder Court, Government remit one year of the sentence of a prisoner tried, with others, for the robbery of a post office .. .. .. | iii. | 685 |
| Fraudulently making use of an obliterated postage stamp, Gunesh Sukharam .. .. .. .. .. .. | v. | 350 |
| A fine imposed upon a party for 'making use of an obliterated postage stamp' is remitted, there being no law by which using an obliterated postage stamp can be punished, and it is not alleged that the accused removed the marks of obliteration to effect a fraud .. .. .. .. .. .. .. | v. | 350 |
| Applying an effaced postage stamp to a letter, Moro Narayen .. .. .. .. .. .. .. | v. | 575-577 |
| The use of an obliterated postage stamp is not penal under Section 36 Act XVII. of 1854. There is no law by which 'using an obliterated postage stamp' can be punished .. .. .. | v. | 576-597 |
| Infringement of the Post Office Regulations, Rama bin Raghojee, and three others .. .. .. .. | v. | 634-637 |
| If men prefer sending their letters for nothing by a peon to paying for or sending them by the post, the law does not prevent them .. .. .. .. .. .. .. .. | v. | 636 |

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| A Magistrate alone has power to convict and punish under Act XVII. of 1854 (the Post Office Act), and although the punishment which may be awarded under that Act exceeds that which a Magistrate is empowered to inflict in other cases, yet, in those to which the Act refers, he can award punishment to the full extent laid down in the 54th Section of the Act .. .. | vii. | 237–238 |
| A Magistrate alone having power to convict and punish under Section 54 Act XVII. of 1854, the proceedings of an Assistant Session Judge, held under that Act, are, for want of jurisdiction, annulled .. .. .. .. .. .. .. | vii. | 258 |
| Postponement, | | |
| Noticed that the postponement of a trial for murder for twenty-two days by a Session Judge, in order that he might, as he records, review the evidence and consider his finding, was exceedingly objectionable .. .. .. .. .. .. .. | i. | 443 |
| Noticed the great impropriety of postponing judgment so long after trial, in cases involving capital punishment .. .. | i. | 616 |
| A Magistrate postponed his decision for thirteen days, and the reasons recorded for his judgment, when that was pronounced, are not convincing .. .. .. .. .. .. .. | iii. | 241 |
| Clause 2 Section 22 Regulation XIII. of 1827 provides for the postponement of a sentence for escape, pending the orders of the Sessions Court .. .. .. .. .. .. .. | iii. | 308–309 |
| Potdar, | | |
| The conviction and sentence passed upon a Potdar for making use of the public money, are annulled, the evidence failing to show that he made use of the public money to his own advantage .. | x. | 342–343 |
| Pound, | | |
| Clause 8 Section 19 Regulation XII. of 1827 does not require that a proclamation should be issued by a Magistrate before impounding stray cattle .. .. .. .. .. .. .. | iv. | 721 |
| Practice, | | |
| It is not the practice for the prosecution to impart into a case any allusion to a former conviction .. .. .. .. .. | i. | 192 |
| Held, on a reference to the Sudder Court, upon a point of law and practice, that the Court cannot give an opinion on a point not legally before it .. .. .. .. .. .. .. | i. | 414 |
| The practice of the Courts requires the presence of two jurymen at a trial .. .. .. .. .. .. .. .. | i. | 267 |
| Clause 2 Section 22 Regulation XIII. of 1827 provides for the postponement of a sentence of escape, pending the orders of the Sudder Court, whose later practice has been, after settling the point referred to, to remit the case for disposal to the Sessions Court.. .. .. .. .. .. .. .. | iii. | 310 |
| An Assistant Session Judge should be instructed to adhere to the practice of taking down the description of a witness after solemn affirmation is made .. .. .. .. .. .. | iv. | 167–169 |
| Noticed as bad the practice of allowing male and female prisoners, whose offences are under investigation, to be kept indiscriminately together, even at night-time .. .. .. .. | v. | 37– 38 |
| The practice of allowing female prisoners to sleep all night in the same room with the peon who guards them, is bad, and to be prohibited .. .. .. .. .. .. .. .. | v. | 37– 38 |
| Perjury is apparent while the witness is deposing, and instantaneous committal is not only ordinarily practicable, but nearly the universal practice .. .. .. .. .. .. | vii. | 81 |
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| Held in a case of conspiracy, that, considering the time and circumstances under which the petition was presented (it contains a direct promise if the prayer be granted, and implied threat if it be denied) the conviction for that crime is good .. .. | ix. | 481 |
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| Pregnancy, | | |
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| A house in dispute not being premises within the meaning of Act XVI. of 1838, that Act was therefore inapplicable to the case, and the Magistrate's interference could only be justified under Section 16 Regulation XII. of 1827 .. .. .. .. | ii. | 23 |
| Noticed instance of suspicion against a person on whose premises a murder was committed, with a view to the Magistrate's ascertaining whether the case has been properly disposed of as respects that individual .. .. .. .. .. .. | v. | 429 |
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| The preparation and committal of a case of bribery by an officer of the revenue survey could never have been intended by the Government, to whom the measure will accordingly be referred. | v. | 603 |
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| The practice of the Courts requires the presence of two jurymen at a trial .. .. .. .. .. .. .. .. | ii. | 267 |
| A Magistrate failing to show that a party, fined for contempt of Court under Act XXX. of 1845, made use of menacing gestures and expressions in the presence of the presiding officer, the fine is ordered to be restored .. .. .. .. .. .. | iii. | 340 |
| The actual presence of the parties at the time of the commission of conspiracy is not necessary to make them accessories; it is enough if their acts satisfactorily prove that they were acting in concert together .. .. .. .. .. .. .. | iv. | 133 |
| The deposition of the deceased should have been taken in the presence of the prisoners who assailed him .. .. .. | iv. | 333 |
| Noticed instance in which, contrary to the direction of circular No. 411, the evidence of the witnesses was not taken by the Superintendent of Police in the presence of the prisoner, although the prisoner was in attendance at the time .. .. | vi. | 114 |
| Noticed in a case of murder, that as the evidence of the deceased was not taken in the prisoner's presence, it ought not to have been recorded and used as evidence .. .. .. .. | vi. | 441 |
| The omission to prove that the deposition of the deceased was made in the prisoner's presence, rendered the deposition of no avail as evidence .. .. .. .. .. .. .. | vii. | 5 |
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| Police officers charged with abuse of authority, extortion, bribery, and receipt of a present .. .. .. .. .. .. | ii. | 219–223 |
| A party charged with receiving a present as a Native revenue officer, could only deny his guilt, and appeal to very long service, which, in such a case, should have been ascertained and inquired into through the Mamlutdar, without whose evidence, indeed, one-half of the exhibits in the case ought not to have been recorded .. .. .. .. .. .. .. .. | iii. | 493 |
| A Havildar of peons not being entrusted with the charge of public money, is therefore not one who can be convicted of receiving a present, and sentenced under Section 2 Regulation XVI. of 1827, even with the extension of Regulation V. of 1833 .. | viii. | 316–317 |
| Presidency, | | |
| Suggested by a Session Judge that, when chemical analysis cannot be obtained at the chief station of a district, the subject for analysis may be forwarded to the chemical analyser at the Presidency .. .. .. .. .. .. .. .. | iv. | 953 |
| Press, | | |
| Infringement of the provisions of Act XI. of 1835, regarding the Press, | | |
| Goolabdas Madhowdas, and another .. .. .. .. | iv. | 807–816 |
| Two persons convicted of the infringement of the provisions of Act XI. of 1845, regarding the Press, in not printing on the paper published by them the name of the printer and publisher, together with the place of printing and publication, were sen- | | |

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| tenced—one of them to a fine of one hundred Rupees, or in default six months imprisonment; the other to a fine of fifty Rupees, or one month's imprisonment .. .. .. .. | iv. | 815–816 |
| Pressing of labourers; official misconduct; and receipt of a bribe, Koover Morar .. .. .. .. .. .. .. | viii. | 204–211 |
| Pressing of bigarees; and detaining persons in unlawful confinement by force, Dewjee wulud Venkoo .. .. .. .. .. .. | ix. | 585–591 |
| Presumption, The presumption is, that no man escapes from custody unless guilty of the crime with which he is charged .. .. .. | ii. | 566 |
| Presumptive evidence.—*See* " Evidence." | | |
| Prevarication, Witnesses should not have been punished for prevarication under a regulation not applicable to the offence .. .. .. | i. | 555 |
| Act XXX. of 1841 does not apply to prevarications .. .. | iii. | 800 |
| A Magistrate is directed to inform his Assistant that the omission in his record of a trial of any mention of his having fined a witness for prevarication is very improper .. .. .. | iii. | 800 |
| A Session Judge, finding that the Magistrate had fined a witness fifty Rupees for prevarication, submitted the case to the Sudder, who, concurring with the Session Judge that Act XXX. of 1841, under which the fine was imposed, does not apply to prevarications, directed the fine to be restored .. .. .. .. | iv. | 856 |
| A prisoner is to be at once released, he having already been imprisoned for one year for having, on the Magistrate's own showing, prevaricated as to his residence .. .. .. .. .. | vi. | 488 |
| Prevention of local nuisances, Khunderow Gunesh .. .. .. .. .. .. | ii. | 724–725 |
| Prisoner, Noticed that neglect of circular order No. 427 weakened the evidence in a case of murder, and led to the acquittal of the accused .. .. .. .. .. .. .. .. | i. | 8 |
| The confession of a prisoner should have been taken down in presence of the attesting witnesses .. .. .. .. | i. | 11 |
| What was the defence of a prisoner should have been made clear in the English proceedings of the Session Judge .. .. | i. | 13 |
| Inquiry might surely have been made into the statements of a prisoner who averred he killed his wife under the influence of excitement, arising from the belief that she had improper connexion with another man.. .. .. .. .. .. | i. | 18 |
| A Magistrate is directed to make inquiry and report as to the alleged ill-treatment of the accused, which was not considered necessary to be gone into for the defence .. .. .. | i. | 24 |
| The substance of the prisoner's examination by the Police should have been given in the English proceedings of the Session Judge .. .. .. .. .. .. .. .. | i. | 32 |
| Where a bad feeling existed against a prisoner, it would have been better if the charge against him had been left to the disposal of the Sessions Court.. .. .. .. .. .. .. | i. | 42 |
| The sworn deposition of a prisoner as evidence for the prosecution should not have been recorded, his examination before the Police on affirmation not being admissible against him.. .. | i. | 70 |
| Noticed in a trial for culpable homicide, that the Session Judge should have made particular inquiry into the character and conduct of the prisoner, considering that the evidence for the prosecution was mainly confined to the relatives of the deceased .. | i. | 103 |
| Noticed the negligence of a Police Patel in neither examining the prisoner nor the corpse, nor ordering an inquest .. .. | i. | 103 |

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| A Session Judge ought to have recorded his reasons more fully for dissenting from the conviction of a prisoner. Those he has adduced do not meet the case in any way .. .. .. | i. | 105-106 |
| Condemned the search by a Police peon of the house of a prisoner at night without any urgent necessity .. .. .. .. | i. | 108 |
| The penalty of a prisoner on forfeiture of his security bond is mitigated on the application and recommendation of the Acting Joint Magistrate .. .. .. .. .. .. .. | i. | 119 |
| Noticed instance in which a prisoner, tried for culpable homicide, should have been tried for murder .. .. .. .. | i. | 103 |
| The wife of the prisoner (tried for murder) should not have been examined .. .. .. .. .. .. .. .. | i. | 128 |
| The plea of 'guilty' should have been recorded independent of the admission of the prisoner, for the mere admission recorded is not a distinct plea of guilty .. .. .. .. .. | i. | 165 |
| The former character of a prisoner ought not to be adverted to before recording the verdict .. .. .. .. .. | i. | 192 |
| A prisoner may urge general character in defence; but it is not the practice for the prosecution to impart into the case any allusion to a former conviction .. .. .. .. .. | i. | 192 |
| After verdict, character may be proved as a cause for augmenting the punishment of a prisoner, but never before it as an apparent substitute for evidence .. .. .. .. .. .. | i. | 192 |
| Noticed the impropriety of a Deputy Magistrate (as a committing officer) recording 'the prisoner is convicted and found guilty,' and thereafter recording of the same prisoner that 'he is committed to stand his trial at the Court of Sessions' .. .. | i. | 207 |
| Noticed the official misconduct and abuse of authority of a Police Patel in releasing a prisoner without reporting his apprehension. | i. | 218-220 |
| Noticed failure to quote the regulation under which a prisoner was punished .. .. .. .. .. .. .. | iii. | 225 |
| It rests with the officer in charge of the jail to see that the hard labour in which the convicts are employed is only such as befits their age and sex .. .. .. .. .. .. .. | i. | 287 |
| Noticed the supineness of a Moonsiff, and his doing all in his power to screen a prisoner—the Nazir of his own (the Moonsiff's) court .. .. .. .. .. .. .. .. | i. | 324-327 |
| Noticed instance in which a prisoner, instead of being charged with attempt to commit gang robbery, by night, with force, should have been charged with serious assault .. .. .. .. | i. | 340 |
| A sentence of four years imprisonment with hard labour, awarded against a party for attempt to commit gang robbery, with force, by night, should commence from the period when the prisoner was first apprehended .. .. .. .. .. .. | i. | 340 |
| The omission of the Police to obtain the necessary evidence has prevented the trial of a prisoner for theft, or robbery .. .. | i. | 345 |
| Noticed instance in which there is no evidence how a prisoner, charged with robbery, and receiving stolen property, was apprehended .. .. .. .. .. .. .. .. | i. | 376 |
| A prisoner is stated to be of bad repute, but no evidence whatever is adduced to show he is so .. .. .. .. .. | i. | 376 |
| A prisoner charged with murder, and convicted of culpable homicide, is sentenced (the act being unattended with any marks of atrocity) to eighteen months imprisonment with hard labour.. | i. | 381 |
| The mere general assertion of a Police Amuldar, or Police Patel, that a prisoner is a thief, vagabond, or man of bad repute, is not sufficient ground for demanding security from a prisoner .. | i. | 389 |
| Simply stating, but not showing, that a prisoner is a turbulent character, is no reason for binding him over to refrain from any illegal act, an order for security to which effect is annulled .. | i. | 409 |

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| A prisoner, acquitted of the charge before the Court, should not, because he had been before convicted of another offence, be detained, after acquittal, on security. An order for being so is annulled .. .. .. .. .. .. .. .. | i. | 410–411 |
| When prisoners are re-committed on a new charge at the instance of the Sessions Court, the proceedings should show that the case had been regularly brought on, and the decision of the Session Judge to that effect duly communicated to the accused .. | i. | 451 |
| Held in a trial for murder, that further inquiries should have been made, and that those made had not elicited evidence sufficient to convict the prisoners, the sentence against whom is therefore annulled .. .. .. .. .. .. .. .. | i. | 472–475 |
| An order for security is annulled, there being no record to show that the prisoners were likely, on their release from jail, to have recourse again to theft and robbery .. .. .. .. | i. | 526 |
| No valid reason appearing for holding a prisoner to security at the expiration of his sentence of imprisonment, the order for security and for, in default, his further detention, is annulled .. .. | i. | 557 |
| Dissatisfaction is expressed at the long detention of prisoners in confinement previous to trial .. .. .. .. .. | i. | 559 |
| The Police not having authority to, must not hold out hopes of, pardon, and certainly not for the purpose of leading prisoners to confess .. .. .. .. .. .. .. .. | i. | 564 |
| A deposition to be valid as evidence must, at the time it was taken, be taken in the prisoner's presence, the only exception, perhaps, being that of a deposition taken *in articulo mortis* .. .. | i. | 590 |
| A prisoner's term of imprisonment having expired when he was re-apprehended, the sentence of a Session Judge, decreeing him to undergo the balance of punishment which he would have suffered had he not escaped, is illegal .. .. .. .. | i. | 598 |
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| Extorted evidence ought not to be received, nor be allowed to weigh against a prisoner .. .. .. .. .. .. .. | i. | 601 |
| Grave suspicion of the way in which a prisoner's confession was obtained is made one of many grounds for annulling the conviction and sentence passed upon him .. .. .. .. | i. | 601 |
| Noticed the confessions of the prisoners being recorded in the case before they were proved .. .. .. .. .. .. | i. | 648 |
| The prisoners confessions not having been proved, ought not to have been recorded .. .. .. .. .. .. | i. | 660 |
| The prisoner's statement made before the Police has not been recorded as it should have been .. .. .. .. .. | i. | 674 |
| In an inquest report, it is necessary to record merely the wounds on a corpse; the opinion of the inquest that the deceased died from those wounds; and that the prisoner had caused those wounds.. | ii. | 7 |
| Noticed the impropriety of having allowed the statement of one prisoner to weigh against that of another .. .. .. | ii. | 7– 8 |
| On the adjournment of a Court during trial, the prisoners and articles in evidence before the Court should be remanded to the Nazir, and an entry to that effect recorded in the proceedings.. | ii. | 8 |
| At the conclusion of a trial, instead of directing the Nazir to take charge of the prisoners, a formal warrant to do so should be issued, as required by Clause 3 Section 21 Regulation XIII. of 1827 .. .. .. .. .. .. .. .. | ii. | 8 |
| Abuse of authority as a Policeman, in taking twenty-three Rupees from a prisoner who had robbed his master .. .. .. | ii. | 20 |
| In cases in which a prisoner pleads guilty, the labour of a trial is lessened by attention to Clause 2 Section 37 Regulation XIII. of 1827 .. .. .. .. .. .. .. .. | ii. | 31 |

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| Noticed the great irregularity of a Police Patel, in allowing a female prisoner accused of murder, to return, on a frivolous pretext, to her own house, instead of keeping her in confinement in the 'chowree' along with the other prisoners.. .. .. | ii. | 41 |
| Humanity ought to have suggested to a Police Patel the impropriety of removing a prisoner soon after child-birth .. .. | ii. | 41 |
| The evidence of the Police ought to have been taken as to the discovery of stolen property in the house of a prisoner.. .. | ii. | 51 |
| The conviction of a prisoner is annulled, he having been convicted of, and sentenced for, the very same offence in a previous trial. | ii. | 61 |
| The finding of a Session Judge recorded as expressing not his own conviction, which was adverse, but the opinion of the assessors, which was favourable to the prisoner, is, being illegal, annulled, and the Session Judge requested, after replacing the prisoners at the bar, to record a legal finding—a finding the consequence of his own conviction—and report the result to the Court .. .. .. .. .. .. .. .. | ii. | 85 |
| Noticed the improper conduct of a Thanna Karkoon in taking a note from a prisoner at the time of his apprehension .. .. | ii. | 111 |
| A prisoner was very properly discharged untried from the bar, who, being a subject of His Highness the Guicowar, was charged with an offence committed in His Highness' dominions .. | ii. | 112 |
| On proceeding to convict a prisoner, the Session Judge should recapitulate the charge on which he is finding the prisoner guilty .. .. .. .. .. .. .. .. | ii. | 117 |
| The deposition of a prisoner is said to be disbelieved, nevertheless a statement he deposed to therein is assumed as true .. .. | ii. | 119 |
| A prisoner's confession should have been proved .. .. .. | ii. | 122 |
| A prisoner once arraigned cannot be discharged without an acquittal or conviction .. .. .. .. .. .. | ii. | 124 |
| On a trial for robbery, with force, by night, and receiving stolen property, the prisoner should have been convicted of robbery, with force .. .. .. .. .. .. .. .. | ii. | 136 |
| Noticed the omission of the Session Judge to record what becomes of the prisoners and articles before the Court .. .. .. | ii. | 138 |
| Noticed the neglect of a Magistrate in not ascertaining from a prisoner what evidence he might desire to adduce in his defence; and in not informing the prisoner of the act for which, and the manner how, and of the time when, he is committed .. .. | ii. | 167–168 |
| Prisoners, on the adjournment of a Court, should be remanded to the Nazir, and an entry to that effect made .. .. .. | ii. | 167 |
| Prisoners, in the record of a trial, should be designated by their names, and not as Nos. 1, 2, 3, &c. .. .. .. .. | ii. | 167 |
| Noticed disrespect to the Sessions Court, and disregard of the regulations, in a Magistrate, who, on a case being sent up to him for confirmation, does not confirm it, but annuls the sentence, and, as he says, commits the prisoners for trial to the Sessions, and sends the proceedings to his Assistant, for transmission to the Sessions Court.. .. .. .. .. .. .. | ii. | 167–168 |
| An Assistant Magistrate should have recorded his having told the prisoners that they were committed, and his having asked them whether they had any witnesses they wished called .. | ii. | 175 |
| Copies of the depositions of several witnesses, in which the fact of prisoners having been beaten is sworn to, are forwarded to the Magistrate for inquiry into the allegations .. .. .. | ii. | 184 |
| The statements of two prisoners not having been proved, either for the prosecution or defence, should not have been referred to when cross-examining the witnesses for the defence.. .. | ii. | 198 |
| The statements of two prisoners on trial for murder should have been recorded for the prosecution .. .. .. .. | ii. | 198 |

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| A Mamlutdar should, on inquiring into a case, have taken, the prisoners being present, the depositions from the witnesses themselves, and not have recorded, nor made use of, the depositions taken by the Deputy Magistrate .. .. .. .. | ii. | 211–212 |
| A Session Judge should have proved and recorded the statements made by the prisoners before the District Police Officer .. | ii. | 223 |
| A prisoner should not have been discharged without trial. The more correct procedure would have been to have recorded the prisoner's plea, proceeded with the prosecution, and, in the event of the evidence appearing insufficient for conviction, the prisoner, at its close, could have been acquitted .. .. .. .. | ii. | 240 |
| A prisoner, having been committed, ought not to have been discharged without trial, but should have been called upon to plead to the charge, should have had his plea recorded, and the trial should have been proceeded with; and on its being ascertained that he was a subject of the Guicowar state, and that the offence charged against him was committed in the territory of His Highness, the prisoner should have been returned to the Magistrate for transmission to the authorities of the state to which he belonged.. .. .. .. .. .. .. | ii. | 259 |
| Noticed the illegal detention of prisoners by a Joint Police Magistrate for more than one hundred and twenty-seven days, in direct disregard of Clause 4 Section 43 Regulation XII. of 1827, which ordains that the District Police Officer shall not delay the transmission of a prisoner for a longer period than twenty-four hours.. .. .. .. .. .. .. .. | ii. | 259 |
| Noticed that the illegal detention of prisoners for more than one hundred and twenty-seven days should have been brought to the notice of the Magistrate .. .. .. .. .. | ii. | 259 |
| The crime with which a prisoner (a subject of His Highness the Guicowar) was charged, not having been committed within the jurisdiction of the Sudder Court, the Judge could not have punished the prisoner for it .. .. .. .. .. | ii. | 259 |
| Noticed the neglect of the Police in the preliminary investigations in a case of murder, and that, owing to this neglect, a prisoner had escaped conviction .. .. .. .. .. .. | ii. | 271 |
| A Session Judge ought not to have refused to examine witnesses for the defence on the ground that they were sure to depose in the prisoner's favour .. .. .. .. .. .. | ii. | 278 |
| The written statement of a prisoner, as to what she said before the District Police Officer, being recorded in the defence, witnesses to this (her statement) need not have been examined for the prosecution, as their recollection of what she had said was no evidence so long as the statement itself could be produced, and which, being in writing, ought to have been recorded for the prosecution.. .. .. .. .. .. .. .. | ii. | 278 |
| When witnesses are examined to prove documents, they should not be asked whether they know the prisoner, and whether they wrote, or attested, his deposition at such a place, but the document, or deposition, should be shown to them, and they should be asked whether they know the handwriting, or signatures, and upon their recognising these, they should be examined as to the circumstances under which they wrote or attested the deposition or documents .. .. .. .. .. .. | ii. | 281 |
| The Agent of Colaba is directed to bring the case of a prisoner to the notice of the Sudder Court at the expiration of one year's imprisonment, should he not, in the meantime, have found bail .. .. .. .. .. .. .. .. .. | ii. | 362 |
| Noticed that, by unnecessary adjournments, the feelings of a prisoner were sacrificed for the convenience of the trying authority. | ii. | 379 |

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| Neither the finding nor language of a Session Judge's recommendation of the mitigation of a sentence he himself had passed conveyed any idea of the true state of the convict, which a subsequent report showed to be so deplorable as to call for the interposition of Government on his behalf .. .. .. .. | ii. | 391 |
| On punishment being awarded to a prisoner for escape from custody, mention should be made when the sentence he was undergoing would expire, irrespective of that to which he is subjected to for escape .. .. .. .. .. .. .. | ii. | 407 |
| A Session Judge, in his finding on the trial of a prisoner for escape, says, that every precaution had been taken to prevent escape; but this hardly seems reconcilable with the fact that the prisoner had a chain only on one leg .. .. .. .. | ii. | 407 |
| A prisoner once committed cannot be discharged without an acquittal or conviction being recorded .. .. .. .. | ii. | 424 |
| The discharge of a prisoner by the Sessions Court, because, on a consideration of the facts, the Judge considered it would be useless waste of time to proceed with the trial, was irregular .. | ii. | 423–424 |
| In annulling a Deputy Magistrate's conviction, the Magistrate should have committed the prisoners himself to the Sessions Court. | ii. | 448 |
| Case of an insane convict is submitted to Government, and his removal ordered by Government to the hospital for insane patients at Colaba .. .. .. .. .. .. .. .. | ii. | 451–452 |
| The release, without trial by the Session Judge, of prisoners committed to the Sessions Court for perjury, is illegal; and as a mere discharge does not operate as an acquittal, the Session Judge is directed to have the prisoner re-arraigned, and the trial proceeded with .. .. .. .. .. .. .. | ii. | 457–458 |
| A Magistrate is to be informed that the proceedings in a case of murder would have been more complete had two of the prisoners been from the first made witnesses to it .. .. .. .. | ii. | 478 |
| The Sudder Court direct the release of certain prisoners, regarding whom the Magistrate may adopt the more lenient measures contemplated in Clause 2 Section 27 Regulation XII. of 1827.. | ii. | 509 |
| A prisoner who might have been convicted of robbery, as charged under Clause 2 Section 37 Regulation XIV. of 1827, ought not to have been convicted of receiving stolen property without being tried on that charge .. .. .. .. .. | ii. | 511 |
| Noticed in a case of attempt to commit gang robbery, by night, accompanied with murder, that the Police ought to have tested the truth of the prisoner's confessions .. .. .. .. | ii. | 517 |
| A prisoner tried for serious assault, should (such was the murderous assault he made upon a woman) have been tried for attempt to commit murder, and dealt with accordingly .. .. .. | ii. | 520 |
| The discussion which took place on a trial in regard to the plea of a prisoner was unnecessary if not unseemly .. .. .. | ii. | 545 |
| A Session Judge having, on recording an additional plea of guilty, omitted to note that the evidence was, as prescribed by law, read over, and the omissions it contained duly confirmed, the proceedings are in consequence incomplete, and the conviction illegal .. .. .. .. .. .. .. .. | ii. | 545–546 |
| A Session Judge appears to have overlooked the fact that, though a prisoner's statement before the Police authorities amounts to a confession, his amendment of it before the Session Judge is a direct denial of the charge .. .. .. .. | ii. | 548 |
| Noticed instance in which a Session Judge by conversing with, and his method of examining, a prisoner, gave a colour to the accusation brought against him by that prisoner of having threatened and compelled him, through fear, to retract his prior plea of 'not guilty,' and subsequently to plead 'guilty' .. | ii. | 547–548 |

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| The prisoner, if indicted at all, should have been charged with 'subornation of perjury,' and not with 'obstructing the course of public justice' .. .. .. .. .. .. .. | ii. | 557–562 |
| The punishment awarded a prisoner for 'obstructing the course of public justice' was illegal, and the sentence, which the Acting Magistrate should have annulled, must now be quashed .. | ii. | 562 |
| Noticed instance in which the record of a Session Judge fails to show on what charge a prisoner was in custody.. .. .. | ii. | 567 |
| The release, on the requisition of the Session Judge, of prisoners sentenced by a Magistrate, was illegal .. .. .. .. | ii. | 604 |
| A Magistrate has no power by law to alter his own sentence, nor the Session Judge, as reviewing officer, to annul it, and order the release by the Magistrate of prisoners who had been sentenced by that functionary .. .. .. .. .. .. | ii. | 604 |
| If the sentence passed by the Magistrate was considered too severe, the Session Judge should have submitted the proceedings to the Sudder, with the grounds upon which a mitigation of the sentence, and the release of the prisoners, was considered called for. | ii. | 604 |
| Noticed as an impropriety in procedure, that on a prisoner pleading guilty, the Court, without recording a conviction, adjourned the case to deliberate upon the sentence.. .. .. .. | ii. | 614–615 |
| Noticed in a case of gang robbery, with force, by day, that neither the Session Judge nor Assistant Magistrate took any evidence regarding the search of the prisoner's house and the grain discovered therein .. .. .. .. .. .. .. | ii. | 634 |
| A Session Judge is directed to make over to the Police certain prisoners who he should have sent to be dealt with by that department.. .. .. .. .. .. .. .. | ii. | 644 |
| Noticed instance in which, on the evidence recorded, the prisoners should have been found guilty of murder .. .. .. | ii. | 649 |
| Noticed with regret, that with instructions so explicit and correct as are afforded in circular order No. 459 for carrying out sentences of solitary confinement, and with so obvious a course open to him as a reference to the Sudder Court, a Session Judge should have acted so contrariwise, and have discharged a prisoner from jail before the expiration of his sentence.. .. | ii. | 681 |
| The conviction of a party charged with 'attempting to pass off ornaments of base metal for silver ones' is annulled, the accused not coming within the scope of the regulation (Section 22 Regulation XIV. of 1827) under which he was tried .. .. | ii. | 686–687 |
| Where an offence is described as being 'of a most serious nature,' and the necessity for visiting it 'severely imperative,' no good cause is assigned for exempting the prisoner from hard labour. | ii. | 733 |
| Noticed instance in which, the confession containing exculpatory matter, the truth of the prisoner's defence should have been inquired into .. .. .. .. .. .. .. | ii. | 736 |
| Held in a case of 'robbery; and receiving stolen property,' that the conviction should have been on the first count—that charging the prisoner with the robbery .. .. .. .. .. | ii. | 739 |
| A Deputy Magistrate has no power to pardon and admit as a witness, without the Magistrate's sanction, a prisoner who was evidently concerned in the crime of murder then under investigation .. .. .. .. .. .. .. .. | iii. | 50–51 |
| An admission of guilty knowledge of a murder on the day after it occurred, should have been duly attested to be used against a prisoner .. .. .. .. .. .. .. .. | iii. | 51 |
| A Deputy Magistrate is instructed that, when prisoners are brought before him, he should arraign them on the charge preferred, and not reserve all mention of it till the close of his proceedings .. .. .. .. .. .. .. | iii. | 71 |

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| Flogging is not to be inflicted just before release from jail; but some other period should be fixed for its infliction .. .. | iii. | 83 |
| The trying authority's finding should be a summary of the evidence against the accused, and not a mere record that he finds the prisoner guilty.. .. .. .. .. .. .. | iii. | 114 |
| Noticed in a case of forcibly injuring the property of another, that the fine imposed on the prisoner, to be levied by distress, must be remitted, as Act XVI. of 1850, under which it was imposed, applies only to stolen property .. .. .. .. | iii. | 117 |
| An order directing a discharged prisoner to sleep every night at the 'chowree' of his village is annulled, as unreasonably affecting the personal liberty of the prisoner, who is represented in the return as a householder .. .. .. .. .. .. | iii. | 119 |
| A Deputy Magistrate should not, as a committing officer, have recorded 'he found the prisoner guilty of murder'; but should have recorded that 'he had sufficient evidence before him to justify the committal of the prisoner for trial for murder' .. | iii. | 122 |
| Noticed in a case of murder, that the evidence of the Joint Police Officer should not have been recorded against the prisoner .. | iii. | 129 |
| The warrant on the sentence of a prisoner who escaped from the subsidiary jail at Waghotun, in the Rutnagherry district, is returned to be retained at Rutnagherry until the Assistant Session Judge can report its execution in full .. .. .. | iii. | 130-131 |
| The evidence against a prisoner convicted by the Sessions Court of murder, being wholly circumstantial and presumptive, is held by the Sudder Court insufficient for his conviction, which is therefore annulled .. .. .. .. .. .. | iii. | 141-149 |
| The statements of the prisoners not having been proved and recorded, either for the prosecution or defence, should not have been referred to in the finding .. .. .. .. .. | iii. | 198 |
| The identity of the prisoner should have been proved before recording the former warrant under which he was imprisoned .. | iii | 199 |
| Noticed in a case of murder, the absence, without cause given, of the evidence of a very material witness, who might have ensured the conviction of both prisoners without resorting to the testimony of an accomplice against one of them .. .. .. | iii. | 166 |
| A Session Judge is requested to report why prisoners committed in March were not received at the Sessions Court until the month of June .. .. .. .. .. .. .. | iii. | 200 |
| The conviction and sentence of a Session Judge are annulled, and the fine is to be restored to the prisoner (a peon), who should not suffer further in any respect for the neglect of duty with which he was charged .. .. .. .. .. .. | iii. | 202 |
| Noticed instance of failure to record the substance of a statement made by a prisoner in his defence, and to quote the regulation under which he was punished .. .. .. .. .. | iii. | 225 |
| A Magistrate stated that he did not consider it necessary to take the evidence of the prisoner's witnesses, and yet, without hearing them, records 'there is every reason to suppose they were in possession of the other stolen articles,' regarding which he had precluded himself from making any remark .. .. .. | iii. | 241 |
| The Session Judge's allusions to the prisoners' career as robbers should have been supported by the testimony of competent authority .. .. .. .. .. .. .. .. | iii. | 255 |
| A prisoner's confession ought to have been proved before it was recorded against him .. .. .. .. .. .. | iii. | 261 |
| The Sudder Court mitigate the sentence passed on two prisoners for misconduct and mutinous behaviour, in consideration of their having been dismissed from the Bheel Corps, to which they were attached as sepoys .. .. .. .. .. .. | iii. | 263 |

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| The recommendation to mitigate a sentence of death to one of transportation for life cannot be complied with, as the prisoner being an opium-eater is no extenuation of his offence, nor any palliation for the murder of his wife, for a savage assault upon whom he was before sentenced to one year's imprisonment .. | iii. | 273 |
| Directed that the sentence of death passed upon a prisoner be carried out at the usual place of execution, and not at that which a Session Judge has, for no sufficient reason, indicated .. | iii. | 273 |
| Noticed instance in which a prisoner convicted of culpable homicide, might properly have been convicted of murder .. .. .. | iii. | 289 |
| Noticed in a trial for receiving stolen property, that the alleged robbery occurred so long ago that the strongest evidence was necessary to prove the charge against one of the two prisoners, and that the defence of the other was entitled to more consideration than it received .. .. .. .. .. .. | iii. | 293 |
| The evidence of an approver ought not to have been used against a prisoner, as he was removed from Court before the approver gave his deposition, and which deposition was not read over in the prisoner's presence on his return to Court the following day. | iii. | 323–324 |
| When more prisoners than one are on their trial, the number of each should appear after his name, whenever that is mentioned in the record, and in the letter also handing up the case, if it be one requiring the confirmation of Government .. .. .. | iii. | 324 |
| The witnesses for the defence who had disproved the *alibi* set up by the prisoner, should have been cited for the prosecution .. | iii. | 331 |
| The authority of Government was not required to bring prisoners to trial for a gang robbery committed in a Magistrate's jurisdiction .. .. .. .. .. .. .. .. | iii. | 334 |
| A Session Judge should not have recorded the prisoners' confessions before they were proved .. .. .. .. .. | iii. | 346 |
| Evidence should have been taken as to the handwriting of a bond, and the proof should not have been left to the chance of the prisoner admitting his handwriting .. .. .. .. | iii. | 351 |
| The statements of prisoners should be proved before they are read and recorded against them .. .. .. .. .. | iii. | 351 |
| In a case of conspiracy, the charge should have set out more in detail the overt acts attributed to each prisoner .. .. | iii. | 375 |
| The Court, considering that the fraudulent appropriation of a letter does not, in this instance, call for the maximum amount of punishment provided for by Section 33 Act XVII. of 1837, mitigate the sentence to 4 years imprisonment with hard labour. | iii. | 384 |
| The number of a prisoner should be given whenever his name is mentioned in a trial .. .. .. .. .. .. | iii. | 406 |
| An Assistant Magistrate should have caused the prisoner's statements made before him to have been authenticated by the certification and signature of two competent persons present .. | iii. | 417 |
| Noticed instance in which a Deputy Magistrate should have convicted prisoners tried for robbery, &c., of robbery, with force .. | iii. | 428 |
| The sentence of a prisoner is mitigated and assimilated to that of others (his accomplices) than whom he does not appear to have been more guilty .. .. .. .. .. .. .. | iii. | 440 |
| Attention is directed to the procedure ordered by the regulations when a prisoner pleads guilty .. .. .. .. .. | iii. | 452 |
| A Deputy Magistrate was wrong in having taken evidence in the absence of the prisoner; the complainant should have been sworn to the truth of the charge, and the inquiry should have proceeded in the usual way .. .. .. .. .. | iii. | 457 |
| A prisoner having admitted his statement confessing his knowledge of the robbery before the Sessions Court, the Judge should have assigned more distinct reasons for acquitting him .. .. | iii. | 479 |

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| The Deputy Magistrate should have taken the deposition of the Jemadar who arrested the prisoner for robbery .. .. .. | iii. | 487 |
| A person acquitted of murder on the ground of insanity, is ordered by Government, to whom his case was referred, to be kept in close custody until he can be despatched to the Lunatic Asylum at Colaba .. .. .. .. .. .. .. .. | iii. | 529 |
| Due notice should be given on despatching, in accordance with the orders of Government, an insane prisoner to the Lunatic Asylum at Colaba, in order that the requisite instructions may be issued for his reception .. .. .. .. .. | iii. | 529 |
| A prisoner who, without premeditation and on the spur of the moment, killed one whom he caught in the very act of adultery with his wife, was convicted of culpable homicide, and sentenced to one day's imprisonment .. .. .. .. .. | iii. | 536-537 |
| An Assistant Magistrate is requested to designate prisoners by their names, and not by their numbers .. .. .. .. | iii. | 547 |
| The Court highly disapprove of the conduct of a Deputy Magistrate in delaying to commit the prisoner, who, committed for trial on the 29th December, was not sent to the Sessions Court until the 2nd February following .. .. .. .. .. | iii. | 552 |
| A prisoner is not liable to punishment for trying to bribe a public officer; for the offer of a bribe is not penal, as declared in the Court's circular order No. 25, of the 9th May 1829 .. .. | iii. | 557-558 |
| Allowing a convict to petition the Sudder Foujdaree Adawlut .. | iii. | 565-567 |
| Noticed the illegal proceedings of a Superintendent of Police and First Assistant Magistrate, who, though neither of them were vested with authority to pardon, yet promised pardon to a prisoner, and took his evidence as approver.. .. .. .. | iii. | 596-600 |
| In consequence of the evidence of the Police officers in a case of gang robbery being open to very great suspicion, the Court acquits all the prisoners against whom no independent testimony appears on record .. .. .. .. .. .. .. | iii. | 602 |
| Certain cases of gang robbery are directed to be laid before Government, for such notice as the executive may think fit to take of the questionable proceedings of some members of the Police Corps referred to in them .. .. .. .. .. .. | iii. | 603 |
| Allusions to the past career of a prisoner are quite out of place before conviction .. .. .. .. .. .. .. | iii. | 614 |
| Flogging is an improper punishment to inflict upon a man so advanced in life as the prisoner—fifty-five years of age .. .. | iii. | 614 |
| The sentence of a prisoner for a fresh charge connected with former frauds is mitigated to one month's imprisonment, he having sufficiently suffered for frauds committed as a revenue officer under his former sentence of three years imprisonment with a fine. | iii. | 618 |
| Noticed a grave mistake in the plea column of the register of petitions, which makes it appear that the prisoner had pleaded 'guilty,' whereas his plea was distinctly 'not guilty' .. .. | iii. | 624 |
| The cause of a prisoner's death should have been put beyond question before proceeding with the evidence, which was to fix the guilt upon the prisoner .. .. .. .. .. | iii. | 659 |
| Noticed in a case of murder the Sudder Court's opinion that, proper attention had not been paid to the deceased by the medical officers and the parties who had him in custody .. | iii. | 659 |
| Misconduct as a Police officer in taking a bribe to release a prisoner. | iii. | 662-666 |
| A Magistrate, considering the sentence passed by a Deputy Magistrate too lenient, should have annulled the conviction, and committed the prisoner for trial before the Sessions Court.. .. | iii. | 667 |
| Under the circumstances stated by the Judges of the Sudder Court, Government remit one year of the sentence of a prisoner tried with others for the robbery of a post office .. .. | iii. | 685 |

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| Noticed instance in which prisoners, charged with instigating and aiding in murder, should have been charged with murder .. | iii. | 711 |
| A party refusing to sign the confession of a prisoner at the requisition of the District Police Officer, who is empowered to require it, was properly punished with a fine .. .. .. .. | iii. | 728 |
| Noticed in a trial for gang robbery, that the evidence of a woman, the wife of one of the prisoners, should not have been taken .. | iii. | 779 |
| Noticed in a trial for gang robbery, that it would have been advisable to have recorded the written defence of the prisoners .. | iii. | 779 |
| Noticed a case in which prisoners are sometimes designated by name, sometimes by number, and sometimes by caste only, in the proceedings of a Session Judge .. .. .. .. | iii. | 779 |
| Circular dated the 25th October 1854 directs that prisoners shall always be designated by name .. .. .. .. | iii. | 779 |
| Noticed that the substance of the prisoners statements should have been entered on the record .. .. .. .. .. | iii. | 784 |
| As a prisoner gave no answer when arraigned before the Court, a plea of 'not guilty' should have been recorded.. .. .. | iii. | 804–807 |
| An order for expulsion is cancelled as illegal, the prisoner being a native of the zillah whence it is sought to expel him .. .. | iii. | 814 |
| Noticed instance in which conviction could not be allowed to take place on the unsupported testimony of a woman who had admitted having accused another prisoner falsely because she thought it would be pleasing to the Police .. .. .. .. | iii. | 834 |
| The case of a convict suffering from *lupus exedens* is ordered by the Government .. .. .. .. .. .. | iii. | 859–862 |
| The conviction and sentence of a party tried for perjury are annulled, the Court considering that it was not sufficient proof of the alleged perjury to produce an opposite statement of the accused party, also given on oath.. .. .. .. .. | iii. | 873 |
| The proceedings in a case of murder, for the perpetration of which a prisoner is sentenced to transportation for life, are, with reference to Section 6 Act IV. of 1849, to be laid before Government, with a view to the convict's safe custody in a lunatic asylum. | iii. | 885 |
| As in a trial for conspiracy a charge of extortion should have formed the subject of a separate case, so an extract from the proceedings of the trial is sent to the Deputy Magistrate, who is directed to hand up the prisoners for trial on a separate charge. | iii. | 890 |
| Noticed, with reference to a case of serious assault, that the Police Patel of the prisoner's village, and some of the prisoner's relations, should have been examined as to his former character and behaviour .. .. .. .. .. .. .. .. | iii. | 902 |
| Noticed in a case of conspiracy, that the evidence against the prisoners is Police evidence, in support of a Police prosecution, to clear the character of a Police Karkoon, the accusation of the prisoners against whom had been dismissed without being inquired into and disposed of by the Magistrate .. .. .. | iv. | 7– 11 |
| A report is requested from the Magistrate upon the allegations of certain prisoners in respect to their long confinement by the Foujdar, and the service extorted from them .. .. .. | iv. | 11 |
| The attention of the Magistrate is drawn to the plea of a prisoner on trial for murder being similar to that advanced by another party in a separate trial for the same crime, reported at vol. iii., pages 287—290, of Morris's reports .. .. .. .. | iv. | 15 |
| The conviction and sentence of a prisoner for fraud are annulled, and he remanded, in order that a charge of forgery may be preferred against him.. .. .. .. .. .. .. | iv. | 20 |
| Noticed instance of Police peons being charged with, and convicted of, ill-treating a female prisoner for the purpose of extorting a confession from her .. .. .. .. .. .. | iv. | 37– 38 |

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| Noticed as improper and to be prohibited, the practice of allowing female prisoners to sleep all night in the same room with the Police who guard them .. .. .. .. .. .. | iv. | 37– 38 |
| Noticed instance in which a Session Judge should have passed a combined sentence for gang robbery and escape; and this should be the course, should conviction follow any future commitment of the prisoner .. .. .. .. .. .. | iv. | 70– 76 |
| The evidence against a prisoner resting solely upon his identification, after the lapse of from seven to eight years, by witnesses who never accused him at the time, is considered by the Sudder insufficient to warrant his conviction .. .. .. .. | iv. | 75– 76 |
| Noticed that the remarks on the bad character of the prisoner are not supported by its being shown that he has ever been before convicted .. .. .. .. .. .. .. .. .. | ii. | 81– 82 |
| Noticed in a trial for murder, that the confession of one of the prisoners should have been proved before it was received .. | iv. | 99 |
| Noticed instance in which the statements of the prisoners should have been recorded for the prosecution .. .. .. .. | iv. | 99 |
| To examine a prisoner before the Court for the prosecution is erroneous .. .. .. .. .. .. .. .. .. | iv. | 106 |
| The English record of the Session Judge does not show that the prosecution was formally closed, and the prisoner put on his defence .. .. .. .. .. .. .. .. | iv. | 139 |
| A prisoner who had killed his wife should have been committed for murder .. .. .. .. .. .. .. .. | iv. | 156 |
| The Assistant Session Judge ought to have recorded his conviction against the prisoner before taking evidence as to former convictions, which should only be considered in the apportionment of the sentence .. .. .. .. .. .. .. .. | iv. | 167 |
| The identity of the prisoner with the convict named in the warrant should have been proved .. .. .. .. .. .. | iv. | 168–169 |
| Noticed case in which the acquittal of the prisoners for conspiracy will, it is feared, prevent the proceedings being re-opened, and give rise to false suspicions and untoward results .. .. | iv. | 173 |
| The confession of the prisoner should have been set forth in the proceedings; and the record should have shown what depositions were read over to the prisoner, and that he confirmed his plea after hearing them .. .. .. .. .. .. .. | iv. | 181 |
| The sentence of imprisonment with hard labour for five years passed on certain prisoners for murder being illegal, the case was returned to the Sessions Court, in order that a legal sentence might be recorded .. .. .. .. .. .. .. | iv. | 181 |
| Noticed instance in which, for rape, personal chastisement might also have been administered to the prisoner .. .. .. | iv. | 270 |
| The Session Judge ought not to have allowed the implication of two prisoners by a third, who confessed himself a thief, to weigh against them .. .. .. .. .. .. | iv. | 298–299 |
| The deposition of the deceased should have been taken in the presence of the prisoners .. .. .. .. .. .. | iv. | 332 |
| A Session Judge on all occasions of referring to the Sudder for opinion with respect to the propriety of the conviction and sentence of a prisoner by the Magistrate should be careful to show that the Magistrate does not approve of, nor is authorised to carry out, the amendment suggested by the Session Judge .. .. .. .. .. .. .. .. | iv. | 366 |
| The former character of a prisoner ought not to be adverted to on a trial before conviction .. .. .. .. .. .. | iv. | 383 |
| A female prisoner afflicted with insanity, the result of epilepsy, can be kept in the cells appropriated for insane patients in the jail .. .. .. .. .. .. .. .. .. | iv. | 385–386 |

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| Noticed the very reprehensible and improper conduct of a Rukwuldar, who, having, as he admitted, sworn to a prisoner no harm should come to him if he confessed and produced the property, then went and denounced him to the complainant .. .. | iv. | 409 |
| Act IV. of 1849, under which judgment is passed on an insane person, does not direct any reference to the Sudder; but as cases of this kind have hitherto been referred to that Court, a letter is written to the Registrar, transmitting the papers and proceedings for submission to Government .. .. .. | iv. | 413 |
| An insane prisoner is, on the warrant of Government, transferred to the Lunatic Asylum at Colaba.. .. .. .. .. | iv. | 414 |
| A surety for an escaped prisoner should have been forwarded to the Session Judge .. .. .. .. .. .. .. | iv. | 420–421 |
| The practice of Police officers delegating the examination of prisoners to their subordinates of the lowest class should be strictly forbidden .. .. .. .. .. .. .. | iv. | 440 |
| It is recorded in the summing up in an important trial for robbery, attended with murder, that a rag, in which the stolen articles were tied up, corresponded with the piece taken out of the prisoner's house, when there was no evidence whatsoever to that effect on record .. .. .. .. .. .. | iv. | 443 |
| Noticed a sufficiently *primâ facie* case against a prisoner to have warranted, had the case been taken up with greater care, his committal to the Sessions .. .. .. .. .. .. | iv. | 451 |
| Notice of the careless and irregular manner of taking the statement of a prisoner .. .. .. .. .. .. .. | iv. | 489 |
| Evidence should have been taken of the prisoners identity with the parties named in the warrants .. .. .. .. | iv. | 491 |
| The warrants of the prisoner's former convictions should have been recorded .. .. .. .. .. .. .. .. | iv. | 491 |
| The Court can neither direct nor forbid any further prosecution of the prisoner by the Magistrate, who must be left to act upon his own view of the law .. .. .. .. .. .. | iv. | 502 |
| A Session Judge's alteration of the charges on which prisoners were committed by the Magistrate was illegal .. .. .. | iv. | 527–528 |
| A prisoner should have been tried on the charges on which he was committed by the Magistrate, or the Magistrate should have been requested to frame others .. .. .. .. .. | iv. | 527–528 |
| An Assistant Session Judge should have refrained, in summing up, from any allusion to a prisoner's past offences, whereas he assigns them as one of the reasons for conviction .. .. .. | iv. | 588 |
| A Session Judge should not in his finding have attached any weight to the direct implication of a prisoner by his companion at the bar. | iv. | 595 |
| No prisoner can implicate another on trial with him; and no prisoner's statement should be allowed to affect the position before a Court of his companion at the bar .. .. .. .. | iv. | 595 |
| A reward of fifty Rupees is adjudged to the family of a Policeman who died from the injuries he received in endeavouring to apprehend a prisoner .. .. .. .. .. .. .. | iv. | 601 |
| Attention is called to Clause 1 Section 37 Regulation XIII. of 1827, which requires the second attesting witness to the admission of a prisoner before the Foujdar to be sent up with the case to the Sessions Court .. .. .. .. .. .. .. | iv. | 601 |
| A Session Judge is referred to vol. ii., page 584, of Morris's reports for the Court's opinion of the impropriety of a Judge conversing with, and questioning, prisoners who are being tried before him. | iv. | 681 |
| On counsel moving to be heard in favour of a prisoner, the Court held that the course was needless, as, on a review of the proceedings, they had come to the conclusion that the evidence was insufficient to warrant the verdict found against the prisoner .. | iv. | 681 |

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| Further evidence should have been taken to prove the handwriting of a prisoner who avers he cannot write, and could not, if this were true, have drawn up the agreement, in the fabrication of which he is made to play so prominent a part .. .. .. | iv | 711 |
| As a prisoner did not, in his defence, express a wish, as the other prisoners did, that his former statement should not be recorded, it ought to have been recorded .. .. .. .. .. | iv. | 711 |
| Noticed instance in which the roughness of the Police, and their wish to bring prisoners to trial, led them to the commission of acts which, exciting the jealousy and hatred of the male population, occasioned the frightful murder of a Police Karkoon .. | iv. | 727 |
| Noticed a Session Judge's omission to show in his proceedings what sentence was passed on a prisoner, who, in the Session Judge's return, is found to have been senteneed to twelve months' imprisonment with hard labour .. .. .. .. .. | iv. | 804 |
| In accordance with circular No. 400, the Police who apprehended a prisoner for murder should have been forwarded to the Sessions Court .. .. .. .. .. .. .. .. | iv. | 836 |
| A case of suspicion against certain prisoners was so strong as to render it matter of surprise that the charge was not so investigated and proceeded with as to secure conviction .. .. | iv | |
| A former conviction ought not to be recorded as evidence for the prosecution; nor should previous character be adverted to for the same purpose .. .. .. .. .. .. | | |
| The attention of the Magistrate is drawn to the length of time during which a prisoner has been under examination .. | iv. | 958 |
| The offence of which a prisoner was convicted not being that for which he was arraigned, and as the specific [illegible] must be proved before he can be found guilty of subornation, the conviction for subornation is annulled .. .. .. .. | iv. | 968 |
| Noticed in a trial for perjury, that it should have been more distinctly set forth that the prisoner had deposed on solemn affirmation .. .. .. .. .. .. .. .. | iv. | 971 |
| The unexpired portion of the sentence of a prisoner is (he being an old man, suffering from severe, continued scurvy,) remitted by Government, at the recommendation of the Sudder Court .. | iv. | 992–994 |
| The recommendation to release a prisoner under sentence of imprisonment for life, because infirm and upwards of eighty years of age, is disapproved .. .. .. .. .. .. | v. | 20– 21 |
| It is always ill-judged in the Police to make, in cases of murder, all bystanders and spectators prisoners .. .. .. .. | v. | 32 |
| Condemned as bad the practice of allowing male and female prisoners, whose offences are under investigation, to be kept indiscriminately together, even at night-time.. .. .. .. | v. | 37– 38 |
| Noticed as bad and to be prohibited, the practice of allowing female prisoners to sleep all night in the same room with the peons who guard them .. .. .. .. .. .. | v. | 37– 38 |
| The copy of a warrant showing the former conviction of a prisoner should be proved by a competent witness from the 'duftur,' or record office.. .. .. .. .. .. .. .. | v. | 64 |
| No legal objection exists to the evidence of a prisoner's brother .. | v. | 75 |
| An Assistant Session Judge is, under paragraph 4, of circular order No. 151, competent to amend a charge on which prisoners are first handed up to trial, by inserting the names of the parties robbed .. .. .. .. .. .. .. .. | v. | 91 |
| To examine a prisoner before the Court for the prosecution is erroneous .. .. .. .. .. .. .. .. | v. | 106 |
| A prisoner charged with forgery is remanded to the Magistrate, to be committed on a charge of secretly injuring the property of another .. .. .. .. .. .. .. .. | v | 112 |

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| On the full and voluntary confession of a prisoner before the Court, the Session Judge should have followed the course laid down in Clause 2 Section 37 Regulation XIII. of 1827, and have dispensed with taking further evidence .. .. .. .. | v. | 115 |
| It requires great care, when recording a plea of guilty, to see that the prisoner admitting the fact is aware of, and admits, the legal consequences, and that he takes them all upon himself .. | v. | 178-179 |
| A prisoner, convicted of a charge incorrectly framed, and of which he was not, as the charge was worded, guilty, is remanded, and the Session Judge directed to try the prisoner on a correct charge .. .. .. .. .. .. .. .. | v. | 181 |
| Motives should not be assigned for the conduct of a prisoner for which there are no grounds whatever .. .. .. .. | v. | 183 |
| A prisoner convicted of culpable homicide upon the evidence only of what a child of ten years old had told her mother of his assault upon her, is by the Sudder Court acquitted .. .. | v. | 208 |
| Conviction annulled in a case of perjury, in which more exactness should have been observed before the prisoner was charged with, convicted of, and sentenced for, that offence .. .. .. | v. | 266-267 |
| A Magistrate ought not to have deputed to his Deputy the duty of informing prisoners of their committal, and of asking them whether they had any witnesses. He should have done this himself. .. .. .. .. .. .. .. .. | v. | 272 |
| A p[illegible]ner's statement should not have been taken as corroborative of the confession of his comrade .. .. .. .. | v. | 288 |
| What is only evidence against one prisoner should not be allowed to weigh against the others .. .. .. .. .. | v. | 293 |
| Explanations to a prisoner, as far as they partake of an examination of him, are improper .. .. .. .. .. | v. | 303 |
| Prisoners on trial before a Court should always be treated with the greatest kindness and consideration .. .. .. .. | v. | 303 |
| The confession of a prisoner should be proved without asking him any questions .. .. .. .. .. .. .. | v. | 303 |
| A prisoner's answer, and anything he might have to say in his defence, should be taken down .. .. .. .. .. | v. | 303 |
| Confessions are not proved by the witnesses saying that they heard the statement read over to the prisoner, and that he admitted it; but the witnesses must be present at the time the statement is made, and having seen it taken down in writing, must attest it, and be able to declare the statement shown to them to be the one they heard given .. .. .. .. .. .. | v. | 315 |
| The unexpired portion of the sentence of an old and infirm female prisoner is remitted by Government, at the recommendation of the Sudder Court .. .. .. .. .. .. .. | v. | 337-338 |
| A Magistrate is requested to report how the monthly return shows that the prisoner was apprehended on the 1st November, while the proceedings show that he was apprehended on the 14th October .. .. .. .. .. .. .. | v. | 353 |
| The interpretation on Section 17 Regulation XIV. of 1827, quoted by a Session Judge as the law for punishing a prisoner for forgery, does not apply to the offence, nor to the position of the prisoner, he not having falsified treasury accounts, nor been on the establishment of the Collector .. .. .. .. .. | v. | 356 |
| A prisoner had been in jail for an attempt to rob, and was in custody on a charge of receiving stolen property when he tried to escape. On the second charge he was sentenced to three months imprisonment; but for the attempt (for it was little more than an attempt) to escape, he was adjudged nine months imprisonment, which the Sudder Court reduced to one day's imprisonment .. .. .. .. .. .. .. .. | v. | 358-359 |

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| A District Police Officer ought not to have been allowed to take a prisoner apart and converse with him until he told him where the sword with which the murder had been perpetrated was concealed .. .. .. .. .. .. .. | v. | 411 |
| A Session Judge and Deputy Magistrate are called upon to explain—the one how he came to prepare, and the other how he came to try and to convict, upon a charge of perjury, which has no foundation whatsoever upon the deposition of the prisoner, in that that deposition does not show him to have made the statement with which he is charged .. .. .. .. | v. | 460 |
| A prisoner's confession in the Court in which he is tried is only sufficient for his conviction if he confirm the same after hearing read so much evidence as, if admitted to be true, would prove the charge against him .. .. .. .. .. .. | v. | 475 |
| It is clearly illegal to convict a prisoner on his plea of guilty which he retracted after hearing certain evidence read over. A Session Judge ought then to enter a plea of not guilty, and commence the trial *de novo* .. .. .. .. .. | v. | 475 |
| Circumstances and things not in evidence in the Court ought not to have been referred to at all in evidence against the prisoner.. .. .. .. .. .. .. .. .. | v. | |
| Noticed the discrepancies between an entry in the register of petitions, and the explanations of a Session Judge as to the number of lashes to be awarded to the prisoner .. .. .. | v. | |
| A prisoner found guilty of perjury committed before the Session Judge trying a case in which he had no jurisdiction .. .. quitted .. .. .. .. .. .. | v. | 525 |
| The conviction and sentence of a prisoner charged with [illegible] money, knowing it to be base and unlawfully coined, are annulled, the evidence of the giver and receiver clearly showing that the square piece of bullion proferred and received was not regarded as, nor designed to form part of, the currency of India, but was lodged as a deposit to be resumed on the payment of rupees .. .. .. .. .. .. .. .. | v. | 552 |
| The conviction and sentence of four prisoners charged with gang robbery are annulled, as resting solely upon their own confessions and the evidence against them, which is part and parcel of those confessions .. .. .. .. .. .. .. | v. | 558–560 |
| Suggested to Government the course they might pursue on sanctioning prisoners being put on trial .. .. .. .. | v. | 627 |
| A Mahalkuree is to blame for having placed a prisoner in custody for two days for whom he might have taken bail, or personal recognisance .. .. .. .. .. .. .. | v. | 641 |
| It would have been better if it had been ascertained whether the receipt-books referred to in a trial were in the possession of the prisoner, as his having them would have increased the weight of the evidence against him .. .. .. .. .. .. | v. | 643 |
| An Assistant Magistrate should not have asked prisoners on trial before him any questions but whether they were 'guilty' or 'not guilty,' and whether their statements were true or not.. .. | v. | 655–656 |
| The District Police Officer being before the Court, should have been made to prove the prisoner's statements .. .. .. | v. | 702 |
| A Magistrate should always enter the charge upon which he commits a prisoner, as it prevents the possibility of a doubt .. | v. | 702 |
| Noticed the misconduct and abuse of authority by a Police officer and two others of the Police, in torturing a prisoner to extort confession .. .. .. .. .. .. .. .. | v. | 720–726 |
| A confession made by a prisoner before the Assistant Magistrate should have been proved before the Session Judge, and recorded for the prosecution .. .. .. .. .. .. | v. | 782 |

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| A prisoner (the sentence upon whom, for child-stealing, the Sudder Court annulled) is remanded to be tried upon the second count, yet undisposed of by the Session Judge, of 'receiving a child, knowing it to be stolen, and so offending against the law of her faith' .. .. .. .. .. .. .. .. | v. | 807-808 |
| When a prisoner is pardoned and admitted as an approver, or witness, against others, his deposition should be invariably taken afresh from the very beginning .. .. .. .. .. | v. | 838 |
| A Police Amuldar being as competent to receive a confession as an Assistant Magistrate, a prisoner should not, on making a confession before any of the subordinate magisterial authorities, be sent off in order that he may confirm the same before the Magistrate himself, or one of his European Assistants .. .. | v. | 823 |
| Where no restraint is broken through, as in the case of prisoners placed in the fort of Poorundhur, who, finding the door of their apartment open, and the guard asleep or absent, left the place; in such a case escape from custody cannot be held to be committed .. .. .. .. .. .. .. .. | vi. | 9 |
| Ditto ditto ditto ditto .. | | 80 |
| Noticed the misconduct of the Shetsundee Police in leaving their guard and every avenue open for the departure of the prisoners over whom they were placed .. .. .. .. .. | vi. | 9 |
| Ditto ditto ditto ditto .. | vi. | 80 |
| Noted in a case of conspiracy, the acquittal of a prisoner whose confession might have been obtained .. .. .. .. | vi. | 13 |
| Noticed in a case of murder, that a special finding ought to have been recorded, as the prisoner, from the Civil Surgeon's report, would appear to have been feigning madness, and to be by no means insane .. .. .. .. .. .. .. | vi. | 21 |
| An old offender is, for petty robbery, or theft, adjudged to receive fifty stripes, and to undergo three months solitary confinement, and three months imprisonment with hard labour .. .. | vi. | 40 |
| The statement of one prisoner against another cannot be relied on. | vi. | 58 |
| When a prisoner retracts his confession, the Court must have more evidence for conviction than mere proof that the prisoner told the story which corroborates his confession.. .. .. | vi. | 63 |
| Noticed instance in which, by recording the statement of the prisoner on his admission merely, instead of proving it, the case had to be returned for correction, and the prisoner was thus kept confined for three months under a sentence of death, which, until the case was complete, the Court could not confirm .. | vi. | 63 |
| The Government decline commuting to transportation for life the sentence of death passed upon a prisoner convicted of a most deliberate and cold-blooded murder, because the prisoner has been confined under this sentence for three months, pending the correction of certain technical defects in the trial .. .. | vi. | 67- 68 |
| When a prisoner retracts his confession, the Court must have more evidence for conviction than mere proof that the prisoner told the story which constitutes his confession .. .. .. | vi. | 75 |
| Session Judges might save themselves much trouble if, in handing up petitions from convicts, they were to mention in a report on them that there were these misrepresentations, mis-statements, or contradictions, and the Court might then not think it necessary to call for the proceedings in the case .. .. .. | vi. | 84- 85 |
| Abuse of authority as a Police officer in torturing a prisoner to extort confession .. .. .. .. .. .. .. | vi. | 107-116 |
| Noticed instance in which, contrary to the direction of circular No. 411, the evidence of the witnesses was not taken by the Superintendent of Police in the presence of the prisoner, although the prisoner was in attendance at the time .. .. .. | vi. | 114 |

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| Observed that a prisoner is charged with abuse of authority who should have been charged with fraudulent appropriation of property .. .. .. .. .. .. .. .. | vi. | 119 |
| Noticed an Assistant Magistrate's omission to record in English that the prisoner has been asked whether he has any witnesses to call for his defence before the Sessions Court .. .. | vi. | 138 |
| The Assistant Magistrate ought, when committing a prisoner, to detail the charge on which he is committed, and not say, committed on the charge preferred against him .. .. .. | vi. | 138 |
| A prisoner's confession should not have been read before it was proved .. .. .. .. .. .. .. .. | vi. | 138 |
| A prisoner should, at the end of the proceedings before the Magistrate, be informed that he is committed to take his trial before the Session Judge for whatever the offence may be; and he should then be asked if he have any witnesses to call in his defence, and his answer be recorded .. .. .. .. | vi. | 167 |
| Noticed of certain prisoners convicted of culpable homicide, that as it was found that they had sought out the deceased for the purpose of assaulting him, and in the course of that assault, had killed him, a conviction of 'murder,' and of 'aiding in murder,' should have been recorded against them .. .. | vi. | 0 |
| Government remit, at the recommendation of the Sudder Court, the sentence of a prisoner suffering from black leprosy .. .. | vi. | |
| Noticed in a case of robbery, with force, by night, the shameful misconduct of the Police Patels and Government servants in endeavouring to suppress the charge against the prisoners .. .. | vi. | |
| The sentence passed on a prisoner (aged twenty-eight) for rape committed on his sister (a girl of about ten years of age), is modified by the Sudder, who direct him to receive six months solitary confinement, followed by seven years imprisonment with hard labour, and at the expiration of that period, six other months of solitary confinement .. .. .. .. .. | vi. | 298 |
| The conviction and sentence in a case of murder are annulled, no evidence appearing against the prisoners but their bold confessions, which, from the very first time they appeared before European authority, they stoutly denied .. .. .. | vi. | 345–347 |
| Noticed instance in which a prisoner should have been charged as a principal, and the charge against all the other prisoners should have been 'murder, with robbery,' not 'robbery, with murder' .. .. .. .. .. .. .. .. | vi. | 367 |
| Prisoners should not be put on their trial for perjury on two charges—one in having deposed in the affirmative; and the other in having deposed in the negative. The Judge should satisfy himself which statement is false, and try the prisoner for perjury in having made that statement .. .. .. .. .. | vi. | 316 |
| The conviction of the prisoner for perjury will not stand. He corrected what he had stated falsely the same day, but his original statement and his retraction are both separately charged as perjuries .. .. .. .. .. .. .. .. | vi. | 316 |
| It is a good defence in perjury when the prisoner can prove that an explanation was given qualifying or limiting his first answer. | vi. | 316 |
| Noticed the mistake of a Session Judge in having entered a plea of not guilty for both prisoners, and in his finding recorded that one of them pleaded guilty, and the other not guilty .. .. | vi. | 400 |
| A prisoner, charged with robbery, being held by the Sudder guilty merely of theft, is, being an old offender, sentenced to six months imprisonment with hard labour, and to receive twenty-five lashes .. .. .. .. .. .. .. .. | vi. | 403 |
| A prisoner's confession should not be read until after it is proved .. .. .. .. .. .. .. .. | vi. | 405 |

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| Noticed instance in which, except a prisoner's confession and plea of guilty, there is no proof against her whatever, and that, had she pleaded not guilty, and denied her confession, she would have been acquitted .. .. .. .. .. .. | vi. | 408 |
| Noticed in a case of murder, that the evidence of the deceased not having been taken in the prisoner's presence, ought not to have been recorded, or used as evidence .. .. .. .. | vi. | 441 |
| Noticed that, in place of culpable homicide, the Session Judge should have convicted of murder three Sowars, who, in conveying an unarmed prisoner to Sanund, did, on his attempting to escape, kill him, on the plea that it was the only means of preventing his escape .. .. .. .. .. .. .. .. | vi. | 461-462 |
| Observed that a Deputy Magistrate does not, after he commits prisoners, ask them whether they have any witnesses to call, which he should do .. .. .. .. .. .. | vi. | 481-482 |
| A prisoner is to be at once released, he having already been imprisoned for one year, for having, on the Magistrate's showing, prevaricated as to his residence .. .. .. .. .. | vi. | 488 |
| Noticed in a trial for conspiracy, forgery, and uttering a forged document, that the charges of forgery should not have been brought forward. The main charge of conspiracy included them, and the Session Judge should have elected on which charge to try the prisoners .. .. .. .. .. | vi. | 569 |
| An Assistant Magistrate having sentenced a prisoner for assault, the Magistrate cannot annul the sentence, and enhance the punishment; he can only in such a case commit the prisoner for trial .. .. .. .. .. .. .. .. .. | vi. | 597 |
| The prisoner's statement might not appear probable, but if it be possible, and there is nothing adduced to show it, it is not safe to convict .. .. .. .. .. .. .. .. | vi. | 676-677 |
| When there is reason to believe that the prisoner's story, not being refuted, is probably true, she must be acquitted .. .. | vi. | 677 |
| Endorsement on the warrant of a prisoner of order to find security on the expiration of his sentence, or in default to undergo further imprisonment, is improper .. .. .. .. | vi. | 687 |
| A party prays for an order to the Session Judge to allow certain prisoners (his relations) to petition the Court, the Judge having refused them permission to do so .. .. .. .. .. | vi. | 782-783 |
| Held as incorrect the proceedings of a Session Judge, in discharging without trial a prisoner's brother and uncles who had been committed for trial with him. If required as witnesses, they should have been pardoned, and their evidence taken according to law .. .. .. .. .. .. .. .. | vi. | 793 |
| A prisoner having been committed for trial to the Sessions Court, it was not competent to a Session Judge to transfer him to other authority, or dispose of him, except in due course of law .. .. .. .. .. .. .. .. | vi. | 794 |
| A prisoner should be called upon for his defence after the evidence for the prosecution is entirely completed, and only then .. .. .. .. .. .. .. .. | vi. | 800 |
| A Deputy Magistrate is directed to refer to prisoners by their names, and not merely by their numbers .. .. .. | vi. | 823 |
| The sentences passed on certain prisoners are mitigated by Government, at the recommendation of the Sudder Court .. .. | vi. | 867-868 |
| Security being required for one year, prisoners should, on failure of furnishing it, be detained for one year, and for no lesser period .. .. .. .. .. .. .. .. | vi. | 875 |
| Placing 'mohsul' upon a village is a most objectionable way of obtaining evidence, and were proof dependent solely upon the evidence so obtained, the prisoner must be discharged .. .. | vi. | 896 |

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| A sentence of transportation for life passed up a prisoner aged twenty, for a murderous assault, in which life was lost, is, on account of his youth, and the punishment of his uncles and brothers, mitigated by Government, at the recommendation of the Sudder Court, to three years' imprisonment with hard labour, and solitary confinement for six months.. .. .. .. | vi. | 910 |
| The omission to prove that the deposition of the deceased was made in the prisoner's presence, rendered the deposition of no avail as evidence .. .. .. .. .. .. .. | vii. | 5 |
| A convict when led to execution should be clothed in the ordinary dress of convicts of his class in jail .. .. .. .. | vii. | 9 |
| The case of every prisoner to whom the Thug Agent shall have granted a certificate of exemption from death, or transportation, on the condition of their giving true evidence, is to be handed up to Government, with a view to His Lordship in Council directing the sentence to be indefinitely suspended .. | vii. | 96 |
| The Superintendent of Thuggee is called upon to state whether the information obtained from a prisoner has been of such a nature as to warrant his conditional release before the expiration of his punishment, and whether the ends of justice would not have been better served by the prisoner's remaining to undergo in jail the full term of imprisonment to which he had been sentenced .. .. .. .. .. .. .. | vii. | [illegible] |
| Ditto ditto ditto ditto | vii. | [illegible] |
| A case otherwise completed is not to be adjourned because the prisoner, at the last moment, says he has witnesses to call | ii. | 199 |
| Noticed instance in which a prisoner convicted of receiving stolen property, might have been convicted of the robbery .. .. | vii. | 307 |
| Two prisoners tried in one charge of perjury, because they perjured themselves in the same case and on the day, should have been tried separately, as the offence of each was as distinct as if it had been committed in a different case, and place, and day .. | vii. | 212 |
| Observing that the prisoner having been before imprisoned for theft, does not make the very disproportionate sentence passed upon him a suitable one for stealing from an 'ota,' or terrace, a cloth of the value of eight annas. The Court mitigate the sentence to three months' solitary confinement, and fifty stripes, to be inflicted in two instalments, as before ordered .. .. | vii. | 237–238 |
| Important points of evidence should never be left to be proved by the prisoner's relations .. .. .. .. .. .. | vii. | 241 |
| A prisoner convicted of offences committed in the villages of Aukulcote (vol. v., page 9) and tried by the Magistrate and his Assistant for an offence committed beyond their jurisdiction, and sentenced by a magisterial warrant to imprisonment in the jail at Sholapore, is ordered to be released as illegally confined.. .. .. .. .. .. .. .. | vii. | 274 |
| Noticed an Acting Session Judge's acquittal of a prisoner who had been rightly condemned by his Assistant .. .. .. | vii. | 287 |
| Certain British subjects having been tried and sentenced in the Rewa Kanta for forgery committed within British territory, but uttered in the Rewa Kanta state, the trial and sentence are by Government, at the recommendation of the Sudder Court, annulled, and the prisoners directed to be made over to be tried by the Magistrate of Kaira and the Session Judge of Ahmedabad, before the former of whom the Dufturdar of the Rewa Kanta state can, through the Political Agent, be invited to attend to conduct the prosecution .. .. .. .. .. .. | vii. | 372–373 |
| A prisoner having failed to appeal, and his sentence having expired, no redress could be given him but direction to return the fine, should it have been paid .. .. .. .. .. .. | vii. | 549 |

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| The death of a convict should have been, but was not, immediately reported by the Nazir .. .. .. .. .. .. | vii. | 557 |
| The detention of a prisoner, merely because the Police and the villagers do not do their duty, is refused .. .. .. | vii. | 568 |
| The deposition first given must be assumed to be true until the prisoner proves the facts which, he says, induced him to make a false statement .. .. .. .. .. .. .. | vii. | 591 |
| The confession of the prisoner should have been proved before it was recorded .. .. .. .. .. .. .. | vii. | 604 |
| Noticed instance in which a Deputy Magistrate's finding is more an invective against the prisoner than the impartial opinion of a man set to weigh the evidence in the case .. .. .. | vii. | 722 |
| From a Foujdar's own showing, it appears there was nothing to justify his keeping a prisoner in confinement on suspicion .. | vii. | 772 |
| Noticed instance in which a prisoner's depositions before the Sudder Ameen ought to have been, but were not, recorded in the case .. .. .. .. .. .. .. .. .. | vii. | 751–752 |
| Noticed that the Session Judge has recorded many documents without proving them but upon the prisoner's admission—a practice to which he will find the Court have often objected .. | vii. | 751–752 |
| A prisoner, sentenced by an oversight to imprisonment for one year and one week, has, on a representation of the circumstance, the sentence remitted of one week .. .. .. .. .. | viii. | 24 |
| Noticed that a Session Judge throughout his finding, and when reading his conviction, and even when passing sentence, omits to mention the prisoner by name, and alludes to him only as the prisoner .. .. .. .. .. .. .. .. | viii. | 40 |
| If a Session Judge is of opinion that by observing a circular he is defeating justice, he is bound to set the circular aside, and to sentence the convict according to law .. .. .. .. | viii. | 45 |
| The Sudder object to corporal punishment being inflicted without allowing the convict time to appeal .. .. .. .. | viii. | 44–45 |
| The interpreter should not be sworn until after the prisoners are placed at the bar; but the better plan, and that recommended for general adoption, is to swear the interpreter again at the end of the trial to his having interpreted faithfully .. .. .. | viii. | 44 |
| Proceedings in which prisoners plead guilty should be framed in accordance with Clause 2 Section 37 Regulation XIII. of 1827.. .. .. .. .. .. .. .. .. | viii. | 49 |
| The statement of the deceased might have been proved by the Karkoon who wrote it, or by the District Police Officer by whom it was taken, and so long as it was taken in the prisoner's presence, and on affirmation, he having power to cross-examine the witness, it was good evidence, and after the deponent's death might, under Clause 7 Section 34 Regulation XIII. of 1827, have been used against the prisoner .. .. .. | viii. | 53 |
| A Magistrate's sentence is annulled in a case in which he ought to have, but did not, refer for opinion to the Shastree, whose illness is no reason for dispensing with his exposition in cases in which it is required as a law officer .. .. .. .. | viii. | 65 |
| From the English record of a trial it would appear that the interpreter was sworn before the prisoner who had been placed at the bar, which should not be .. .. .. .. .. | viii. | 138 |
| The Magistrate ought to give a copy of the sentence, or order, in every case to a convict, as without it an appeal cannot be received .. .. .. .. .. .. .. .. | viii. | 178 |
| A prisoner, convicted of culpable homicide, in causing the death of his wife by throwing his shoes at her, receives from the Sudder a mitigated sentence of six months imprisonment with hard labour .. .. .. .. .. .. .. .. | viii. | 231 |

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| Noticed an Acting Session Judge recording that the prisoner ought to have been punished under a regulation which he, the Session Judge, should have known had been repealed .. .. | viii. | 287 |
| A prisoner tried for fraud, which is most clearly proved against him, should have been tried under Section 5 Act XIII. of 1850, and not under Section 2 Act I. of 1852 .. .. .. .. | viii. | 288 |
| The form of record which is well adapted for a case in which a prisoner pleads 'guilty,' is very inappropriate in one in which he pleads 'not guilty'.. .. .. .. .. .. .. | viii. | 304-305 |
| Recommended the form of record for the prisoner who pleads guilty .. .. .. .. .. .. .. .. | viii. | 304-305 |
| Noticed in a trial for murder, that there is no evidence to prove that the inquest report recorded in the case was that of the inquest held upon the prisoner's wife .. .. .. .. | viii. | 348 |
| A Magistrate having assigned no reason why the prisoner should be detained, the Court cannot comply with his request.. .. | viii. | 359 |
| A Session Judge, especially when trying a prisoner for treason, could receive no communication from Government connected with the trial which he would not place on record .. .. | viii. | 477-478 |
| Noticed in a case of murder and robbery, the objectionable practice on the part of the Police of seeking for no other information than that which they can obtain by examining the prisoner .. .. .. .. .. .. .. .. | viii. | [illegible] |
| Noticed the extremely reprehensible conduct of a Mookhee, who allowed a captured person to be removed from the stocks by two persons, by whom he was taken away and murdered .. .. | viii. | [illegible] |
| Noticed instance in which a prisoner, being a Police Patel, should have been so described in the charge .. .. .. .. | viii. | 71 |
| When an Assistant Magistrate commits a prisoner for trial, he should not record a conviction beforehand .. .. .. | viii. | 584 |
| It is recorded on a trial in which the prisoner pleaded guilty, that the prisoner was put on his defence, which was superfluous, as he had pleaded guilty. His plea, adhered to, was enough to enable the Sessions Court to find the prisoner guilty .. .. | viii. | 585 |
| It being but natural in a man to conceal the guilt of his wife, of whose acts of robbery and murder he was not, until after they were committed, cognisant, the Sudder annul the sentence passed by the Sessions Court upon him .. .. .. .. .. | viii. | 585 |
| A Session Judge clearly disobeys the law in allowing a Vakeel to defend a prisoner without, in the first place, showing he is authorised to do so .. .. .. .. .. .. | viii. | 614 |
| The Nazir is to attest any 'vakeelutnama' a prisoner may wish to send to the Court .. .. .. .. .. .. .. | viii. | 614-615 |
| An Assistant Magistrate should not, when committing a prisoner, record he finds him guilty, but should record, upon the above evidence, 'I commit the prisoner to take his trial before the Session Judge,' &c.. .. .. .. .. .. .. | viii. | 670 |
| Noticed a Magistrate's omission to record in English, and his not recording distinctly in Murathee, the conviction and sentence of the prisoner.. .. .. .. .. .. .. .. | viii. | 687 |
| A Chinese convict, under sentence of transportation for fourteen years from Singapore, having attempted to commit murder on a fellow-prisoner in jail, is super-sentenced to transportation for life, and directed by Government to be sent under that sentence to Aden .. .. .. .. .. .. .. .. | viii. | 711-713 |
| A prisoner, convicted of fraudulent appropriation of public money, having presented in his defence an order under the seal and signature apparently of the Mamlutdar, the order is sent to the Magistrate, and he directed to report upon it as bearing upon the present case .. .. .. .. .. .. .. | viii. | 750 |

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| A Session Judge should not have recorded a prisoner's confession before he had proved it .. .. .. .. .. .. | ix. | 29 |
| Noticed in a case of murder, that the evidence of prisoner's brother, who apprehended him, was not taken, though the spirit, but not the letter, of printed circular No. 400 requires that this should have been taken .. .. .. .. .. .. .. | ix. | 32 |
| A prisoner pleading guilty, the evidence of the witnesses should not have been taken to prove the depositions. It would have been sufficient to read the depositions and the prisoner's confession, and then, if he adhered to his plea, recorded the finding—the prisoner guilty .. .. .. .. .. .. .. | ix. | 49 |
| Noticed that a fine of five hundred Rupees, or in default imprisonment with hard labour for six months, appears a light sentence in a case of perjury, in which, though the person against whom the prisoner appeared as a witness was his brother, still he was on his trial for the murder of another brother .. .. .. | ix. | 49 |
| A plea of not guilty should have been recorded against a prisoner who, professing not to remember a confession made before the Foujdar, subsequently, of his own free will, admitted before the Court having wounded his wife with intent to kill her, pleading, in extenuation of his offence, that he was under the influence of liquor at the time .. .. .. .. .. .. .. | ix. | 71 |
| A Assistant Magistrate should not, in committing a prisoner, record 'the prisoner is found guilty, and committed to the Sessions for trial' .. .. .. .. .. .. .. | ix. | 71 |
| A prisoner having been tried by incompetent authority for culpable homicide, with which a prisoner cannot be legally charged, the sentence is annulled, and the prisoner is to be committed to take his trial before the Sessions Court for murder .. .. | ix. | 73 |
| A prisoner cannot be legally arraigned, or put upon his trial, for culpable homicide; and no Court can take cognisance of the offence but one competent to try a prisoner for murder .. | ix. | 73 |
| Noticed the extraordinary irregularity of a First Assistant Magistrate including the evidence of two persons in one deposition .. .. .. .. .. .. .. .. | ix. | 81 |
| As in a case of conspiracy the prisoners were not convicted of any of the offences detailed in Act XVI. of 1850, so the application of that Act to the case was improper, and the order under the Act is annulled .. .. .. .. .. .. .. | ix. | 93 |
| Noticed in a case of conspiracy, that certain exhibits are not proved, nor is it shown whence they came into Court. It is now urged they have been tampered with since they were in the prisoner's possession .. .. .. .. .. .. | ix. | 173 |
| A Magistrate ought not to have annulled the committal made by his Assistant, even if the regulation quoted was not applicable to the case; for the committal was not illegal, though the prisoner might be innocent, or the charge not tenable .. .. | ix. | 179–180 |
| Noticed instance in which a prisoner ought to have been acquitted, not discharged .. .. .. .. .. .. .. | ix. | 183 |
| The Magistrate, when he annulled the sentence of his Deputy, ought to have committed the accused for trial at the Sessions, as pointed out to him by the Deputy Magistrate .. .. | ix. | 196 |
| Noticed that an Assistant Magistrate does not, as he is bound to do when committing prisoners, ask them whether they have any witnesses to call before the Sessions Court .. .. .. | ix. | 230 |
| It was not necessary to record the translation of the confession made by another prisoner in another trial, as nothing in the present case was involved in that confession, and all that it was required to prove was, that the attestation of the prisoner under trial was affixed to it .. .. .. .. .. .. | ix. | 205 |

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| A Magistrate is referred to Clause 3 Section 24 Regulation XII. of 1827, and advised to release a prisoner on his own recognisance to refrain from assaults, &c. under penalty of solitary confinement, or imprisonment with hard labour .. .. .. | ix. | 362–363 |
| The conviction of a prisoner by the Session Judge of 'concealment of attempt at murder, after the fact,' is by the Sudder Court amended, and the prisoner convicted of 'concealment of murder, after the fact' .. .. .. .. .. .. .. | ix. | 422–423 |
| Noticed as surprising that, in a clear case of attempt at murder, a First Assistant Magistrate should have committed the prisoner to take his trial for 'serious assault' only .. .. .. | ix. | 437 |
| Noticed instance in which a capital sentence was passed on one prisoner only, whereas it should have been passed on all the three prisoners convicted of murder, committed with a view to conceal their fraudulent appropriation of money.. .. .. .. | ix. | 448 |
| Noticed the great delay in the preparation of a case which, committed on the 17th June, was complete on the 13th, or certainly on or about the 30th August, but for the trial of the prisoners, in which application was not made to Government until the 16th January .. .. .. .. .. .. | ix. | |
| The conviction of a prisoner for unlawful attempt to render the law nugatory by an exclamation supposed to convey a threat was annulled, the Magistrate not having been influenced by the exclamation, which it is not apparent the prisoner uttered with intent to threaten .. .. .. .. .. .. .. | | |
| The sentences confirmed by a Magistrate on prisoners undergoing a longer imprisonment than the full penal jurisdiction an Assistant Magistrate is competent to adjudge, are annulled; but the prisoners directed, at the expiration of their former sentence, to be returned to the Magistrate, who can, exercise his own discretion, whether to commit them for trial, or release them, as to him may seem proper .. .. .. .. .. .. | ix. | 481 |
| Government remit, at the recommendation of the Inspector General of Jails, the remainder of the sentence (eight months) of a prisoner on account of his bad state of health .. .. .. .. | ix. | 493–494 |
| Noticed instance in which there was no necessity for recording a fresh plea and re-commencing the trial. The prisoner pleaded guilty, and confirmed his confession after having had the evidence read over to him .. .. .. .. .. .. .. | ix. | 502 |
| Noticed that the reasons for the acquittal of the prisoner, as recorded in the finding of the Session Judge, cannot satisfy any one .. | ix. | 534–535 |
| Government is informed, in reply to their reference to the Sudder, that the majority of the Court are of opinion that Vikya bin Ramjee (regarding whose disposal for insanity the Government had been addressed) did cause the death of the deceased. | ix. | 561 |
| Government direct that the prisoner Vikya bin Ramjee who, it is decided, took the life of his wife Jankee, he being at the time of unsound mind, be forwarded to the Lunatic Asylum at Colaba.. | ix. | 562 |
| A warrant is forwarded to the Session Judge of the Konkun for the transfer of the insane prisoner Vikya bin Ramjee to the Lunatic Asylum at Colaba .. .. .. .. .. | ix. | 562 |
| The whole of the proceedings and trial in a case of treason are annulled, and the Acting Session Judge directed to return the prisoner to the Magistrate, in order that he may proceed against him in accordance with the provisions of Act V. of 1841 .. | ix. | 585 |
| Noticed as very reprehensible, the tone, remarks, and bad-feeling of the Deputy Magistrate (a Brahmin) in reference to the caste of the prisoner (a Mhar), and the disproportionably severe sentence he has passed upon him, of which so much as has not expired the Court annul .. .. .. .. .. .. .. | ix. | 591 |

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| It is no part of the business of the Court Karkoons in the employ of Government to draw up petitions for prisoners, except by the Session Judge's orders; and the Karkoons ought not to be allowed to draw them up in their leisure hours, even if they choose .. .. .. .. .. .. .. .. | ix. | 593 |
| Noticed the most discreditable manner in which a case has been prepared by a Deputy Magistrate, and his not sentencing (as he should have done) the prisoners to hard labour.. .. .. | x. | 62 |
| The fine in a case of perjury is remitted, as the sentence is heavy, and the fine in this instance falls on no other party than the prisoner, who revenge and lucre alone instigated to commit the crime .. | x. | 66 |
| A Deputy Magistrate was not justified in denouncing the acts of a prisoner in the terms he does; nor does the offence of the prisoner merit the heavy sentence passed .. .. .. .. | x. | 103 |
| A Session Judge ought to have mentioned in the proceedings the evidence he read over to the prisoner, and have sent up translations of those papers with the case, or have entered the substance of them in his record .. .. .. .. .. .. | x. | 106 |
| Noticed as strange a Magistrate's attention not having been drawn to his Deputy's observations on the first statement of prisoner, as the suspicion it excites as to the truth of the charge would have warranted the prisoner's acquittal .. .. .. .. | x. | 119 |
| Six months of the imprisonment of a prisoner, properly convicted of perjury, is remitted on account of his advanced age—sixty-five years.. .. .. .. .. .. .. .. | x | 142 |
| A Joint Magistrate is requested to state, which he has omitted to do in his proceedings, the amount of security required from a prisoner .. .. .. .. .. .. .. .. | ix. | 145 |
| Noticed that it cannot be found from the Session Judge's proceedings, what part of the evidence he read over to the prisoner .. | x. | 171–172 |
| The denouncement of a prisoner by him of whose murder he was accused should not have been recorded as evidence .. .. | x. | 204 |
| A Foujdar is required to explain upon what grounds, before he had taken the evidence of the complainant, he ordered the prisoner's house to be searched .. .. .. .. .. .. | x. | 265 |
| The sentence on a prisoner for fraud is mitigated on account of his age—seventy years .. .. .. .. .. .. | x. | 278 |
| The conviction and sentence passed upon a Potdar for making use of the public money are annulled, and the prisoner ordered to be discharged .. .. .. .. .. .. .. | x. | 343 |
| Noticed an Assistant Magistrate's omitting to ask a prisoner whether he had any witnesses to call .. .. .. .. .. | x. | 347 |
| A Mookhee is rewarded with twenty Rupees for his exertions in apprehending a prisoner .. .. .. .. .. .. | x. | 423 |
| Printed circular No. 55 requires that the charge on which a prisoner is arraigned shall be recited on his conviction.. .. | x. | 429 |
| Though a prisoner may have petitioned the Sudder Court before, he should not be prevented signing a 'vakeelutnama' to be filed in that Court .. .. .. .. .. .. .. | x. | 475 |
| Noticed instance in which both the prisoners should have been tried for attempt at murder .. .. .. .. .. | x. | 592 |
| Previous convictions should not be recorded until after a prisoner is found guilty .. .. .. .. .. .. .. | x. | 598 |
| Noticed that, in taking down a prisoner's statement, the Police Amuldar appears to have entered, almost word for word, what the prisoner said before the Sessions Court .. .. .. | ● | 651 |
| The evidence of a payment of money resting entirely upon the evidence of the approver, and there being no corroboration of it, either circumstantial or oral, the evidence is not sufficient for the prisoner's conviction .. .. .. .. .. .. | x. | 679 |

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| Noticed that the mode in which the prisoner (a District Police Officer) was suspended, was objectionable .. .. .. | x. | 680 |
| Noticed that the mode in which the house of the prisoner (a District Police Officer) was searched, was highly reprehensible .. | x. | 680 |
| A box kept in deposit is to be immediately restored to any person the prisoner (a District Police Officer) may appoint to receive it .. .. .. .. .. .. .. | x. | 680 |
| Section 7 Act XIII. of 1850 provides punishment for making false accounts when the prisoner cannot be convicted of felonious thefts .. .. .. .. .. .. .. .. | x. | 701 |
| A Deputy Magistrate should not have limited a prisoner to the production of five witnesses only .. .. .. .. .. | x. | 716 |
| A balance for which a prisoner cannot account, will not suffice to prove embezzlement, the prisoner having shown that he had not sole charge of the cash, but that his employer frequently made and received payments himself .. .. .. .. .. | x. | 716 |
| The evidence of persons interested in establishing the truth of their statements cannot, unsupported by other testimony, be held sufficient to convict the prisoner .. .. .. .. .. | x. | |
| Noticed and condemned the evident bias of the Deputy Magistrate against the prisoner .. .. .. .. .. .. | x. | |
| What was the defence of the prisoner should have been made more clear in the English proceedings of the Session Judge .. .. | i. | |
| The substance of the prisoner's examination by the Police should have been given in the English proceedings of the Session Judge .. .. .. .. .. .. .. .. | i. | |
| The proceedings of a Deputy Magistrate, though confirmed by the Magistrate, could not be upheld, they appearing to be vitiated by the mode in which they were conducted .. .. .. | i. | 42 |
| Magistrates are requested to keep English proceedings of the reviews of cases decided by the Deputy Magistrates who are ignorant of English .. .. .. .. .. .. | i. | 91 |
| To entitle a husband to take proceedings against his wife for adultery, in accordance with Act II. of 1845, it must be shown that he has conducted himself properly .. .. .. .. | i. | 172 |
| Noticed omission of the entry of witnesses' ages in the English proceedings of a Deputy Magistrate .. .. .. .. | i. | 210 |
| Noticed that, opposite to the word theft in the register of petitions of a Session Judge, eight months imprisonment (a sentence heavier than the regulations provide for that offence) is entered, and that if the offence were so designated in the warrant, the Session Judge should have called for the proceedings, and have taken measures to have it corrected .. .. .. | i. | 425 |
| When prisoners are re-committed on a new charge at the instance of the Sessions Court, the proceedings should show that the case had been regularly brought on, and the decision of the Session Judge to that effect duly communicated to the deceased .. .. .. .. .. .. .. .. | i. | 451 |
| The finding of an Assistant Magistrate being a virtual acquittal of a party, the subsequent proceedings of the Magistrate in regard to the same party were not justified by law .. .. .. | i. | 498 |
| The reason for the non-examination of a witness should be entered in the proceedings .. .. .. .. .. .. .. | i. | 648 |
| Observed that the extract from the proceedings of a case does not mention the date on which the sentence was pronounced .. | i. | 657 |
| On the adjournment of a Court during trial, the prisoners and articles in evidence before the Court should be remanded to the Nazir, and an entry to that effect recorded in the proceedings.. | ii. | 8 |
| The index which accompanies the proceedings of a case should specify the number of pages .. .. .. .. .. | ii. | 9 |

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| When thought necessary to refer to a case upon a point of law, Clause 2 Section 22 Regulation XIII. of 1827 should be observed, and the Sessions Court, stopping short of sentence, should forward the proceedings in that state for the opinion required .. .. | ii. | 27 |
| Noticed the carelessness and irregularity of the Magistrate who, having decided on some day, the date of which is not given, that the Deputy Magistrate ought not to have tried a case against his subordinates, no where mentions who should commit the case, nor annuls the Deputy Magistrate's proceedings .. | ii. | 61 |
| Noticed the irregular proceedings of an Assistant Magistrate in cancelling several depositions he had taken in a case of gang robbery .. .. .. .. .. .. .. .. | ii. | 183 |
| Observed that, instead of following the regulations, a Magistrate adopted a course of his own, and in place of committing a case to the Sessions, merely annuls the proceedings of his Assistant, and sends back the case to his Assistant to commit .. .. | ii. | 168 |
| A Session Judge's attention is called to his proceedings in a case of perjury. On the 1st June he entered 'here the prosecution closes, and the prisoner is called on for his defence,' and at the end of that day's proceedings, he enters 'here the trial ends, and the prisoner is called on,' &c. The case is then adjourned for more evidence, which is taken on the 12th, and the case then again adjourned for the Session Judge to consider his finding. The Session Judge should have delayed closing the case until he had heard all the evidence, except of former conviction .. | ii. | 343 |
| The Magistrate is to be informed that the proceedings in the case would have been more complete had two of the prisoners been from the first made witnesses in it .. .. .. .. | ii. | 478 |
| The proceedings in the case were incomplete, and conviction illegal, because, in recording an additional plea of guilty, the evidence was not read over, and the admissions it contained duly confirmed .. .. .. .. .. .. .. .. | ii. | 545-546 |
| If the sentence passed by the Magistrate was by the Session Judge considered too severe, he should have submitted the proceedings to the Sudder Court, with the grounds upon which a mitigation of the sentence and the release of the prisoners was called for.. | ii. | 604 |
| The conviction in a case is annulled, because based wholly on the proceedings of another case which is not evidence .. .. | ii. | 674 |
| Noticed and pointed out certain informalities in the proceedings of an Assistant Session Judge in a case of perjury .. .. | ii. | 713 |
| A Deputy Magistrate should arraign prisoners when brought before him on the charge preferred, and not reserve all mention of it till the close of his proceedings .. .. .. .. | iii. | 71 |
| The proceedings in a case were sent for because the Act quoted does not apply to Sessions Court.. .. .. .. .. | iii. | 105 |
| A Magistrate who found himself unable to comply with the Court's requisition for a translation of his Deputy's proceedings, should have submitted a summary of the evidence in English, and this he is requested to do on all future occasions .. .. .. | iii. | 171 |
| A Magistrate is requested to pay more attention to the preparation of his proceedings .. .. .. .. .. .. .. | iii. | 225 |
| Attention is requested to circular order No. 385, of the 22nd November 1848, forbidding the entry of the papers and proceedings received from the magisterial authorities as part of the record of a trial .. .. .. .. .. .. .. | iii. | 267 |
| The report and proceedings of the Magistrate should show that a party fined for contempt of court, under the provisions of Act XXX. of 1841, made himself amenable to the penalties of that Act, their view of which the Court have notified in their circular order No. 371, of the 11th February 1848 .. .. | iii. | 340 |

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| The Court resolve to lay before Government certain cases of gang robbery, in which the conduct of certain members of the Ahmednuggur Police Force appears very questionable .. .. .. | iii. | 603 |
| Noticed as a grave mistake, that the plea column in the register of petitions made it appear that the prisoner had pleaded 'guilty' before the Assistant Magistrate, whereas the plea before him, as appears from his original proceedings, was distinctly 'not guilty' .. .. .. .. .. .. .. .. | iii. | 624 |
| The proceedings in a case of murder are to be laid before Government with reference to the conduct of the Nassick Native Police, and to the necessity for medical officers being proficient in the science of medical jurisprudence .. .. .. .. | iii. | 660 |
| Noticed the carelessness and negligence displayed in the English proceedings of an Assistant Session Judge, the clerical errors in some places of which render them wholly unintelligible .. | iii. | 779 |
| Noticed in the proceedings of an Assistant Session Judge, that prisoners are designated sometimes by their names, sometimes by their numbers, and occasionally by caste only, in opposition to the directions of the circular dated 25th October 1854, which enjoin that prisoners shall always be designated by name .. .. | iii. | |
| The proceedings in a case of murder, for the perpetration of which a prisoner was sentenced to transportation for life, are, with reference to Section 6 Act IV. of 1849, to be laid before Government, with a view to the convict's safe custody in a lunatic asylum .. .. .. .. .. .. .. .. | iii. | |
| As in a trial for conspiracy a charge of extortion should have formed the subject of a separate case, so an extract from the proceedings of the trial is sent to the Deputy Magistrate, who is directed to hand up the prisoners for trial on a separate charge .. .. .. .. .. .. .. .. .. | iii. | 890 |
| A Magistrate should have fixed, which he has omitted to do, in his proceedings, the period for which a surety is to be imprisoned in default of paying the fine, should the same become forfeited .. | iv. | 81 |
| The acquittal of the prisoners in a case of conspiracy will, it is feared, prevent the proceedings being re-opened, and give rise to false impressions, and occasion untoward results .. .. | iv. | 173 |
| The confession of a prisoner should have been set forth in the proceedings, and the record should have shown what depositions were read over to the prisoner, and that he confirmed his plea after hearing them .. .. .. .. .. .. .. .. | iv. | 181 |
| A very grave omission is observable in the English proceedings of a Session Judge, which ought to be a faithful exhibition of all that is elicited at a trial .. .. .. .. .. | iv. | 338–339 |
| The number of the pages should be shown in the list of exhibits forwarded by the Session Judge with future proceedings .. | iv. | 339 |
| A Magistrate's order, confirming his Assistant's proceedings in a case of forfeiture of security bond, is annulled, and the case is remitted to be dealt with as the law directs .. .. .. | iv. | 421 |
| An Acting Magistrate is fully competent to annul a Deputy Magistrate's conviction, and order his proceedings to be taken afresh. | iv. | 531 |
| Noticed instance in which a warrant recorded with the proceedings of a case should have been proved .. .. .. .. | iv. | 570 |
| A Session Judge's recommendation to mercy should be contained in the letter handing up the case, and not in the proceedings of the case itself .. .. .. .. .. .. .. | iv. | 610 |
| On counsel moving to be heard in favour of a prisoner, the Court held that the course was needless; as, on a review of the proceedings, they had come to the conclusion the evidence was sufficient to warrant the verdict found against the prisoner .. | iv. | 681 |
| Obstructing a Magistrate in his proceedings .. .. .. .. | iv. | 686–695 |

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| The Court consider that Act XXX. of 1841 has been erroneously applied, under the circumstances of the case, to a party charged with obstructing a Magistrate in his proceedings. The fine complained of is accordingly annulled .. .. .. .. | iv. | 694–695 |
| The attention of the Magistrate is drawn to the compromise of crime said to have been permitted and encouraged by the Police, with a view to his adopting such measures towards preventing a recurrence of proceedings on the part of the Police so calculated to render nugatory the administration of the law .. .. | iv. | 740–743 |
| The reason for adjourning a case should always be recorded at the close of each day's proceedings .. .. .. .. | iv. | 711 |
| Noticed a Session Judge's omission to show in his proceedings what sentence was passed on the prisoner, who, in the Session Judge's Return, is found to have been sentenced to twelve months imprisonment with hard labour .. .. .. .. .. | iv. | 804 |
| A Magistrate, in dissenting from the opinion of the Session Judge, should forward his reasons to that officer, that the latter may consider before resolving to submit them to the Sudder with his own opinion and the proceedings of the case .. .. .. | v. | 9 |
| Noticed instance in which the proceedings do not show that the prisoners had any opportunity for rebutting the evidence for the prosecution .. .. .. .. .. .. .. | v. | 81 |
| Any remarks forwarded to a Magistrate on matters connected with a case on trial before the Session or Assistant Session Judge should be in the form of an extract from the proceedings, and not in that of a letter .. .. .. .. .. .. | v. | 91 |
| The proceedings of a Magistrate, under Act XXI. of 1841, in respect to the encroachment of a building on the public highway, were justifiable, in no way precipitate, and called for no interference .. .. .. .. .. .. .. .. | v. | 97 |
| The number under which the different depositions are recorded in the English proceedings should always be entered for facility of reference.. .. .. .. .. .. .. .. | v. | 198 |
| The proceedings of a Deputy Magistrate in a case of breach of agreement are annulled, he having no jurisdiction in the case .. | v. | 328 |
| A Magistrate is requested to report how the monthly return shows that the prisoner was apprehended on the 1st November, while the proceedings show that he was apprehended on the 14th October .. .. .. .. .. .. .. .. | v. | 353 |
| An extract from a court's proceedings ought not have been recorded as an exhibit in a case, as it was not evidence .. .. | v. | 379 |
| The report of a District Police Officer ought not to have been recorded in the proceedings of a case, it not being evidence .. | v. | 409–411 |
| A Magistrate who sentenced, under Act XXX. of 1841, to one month's imprisonment, a party charged with obstructing the course of public justice in another court, by tampering with the witnesses in that court, could never have read the Act referred to when he tried the case, or passed the sentence, neither of which the Act in question contemplates nor sanctions .. .. | v. | 680 |
| The Government decline commuting the sentence of death passed upon a prisoner convicted of a most deliberate and cold-blooded murder, for the cause that he had been under this unconfirmed sentence for three months, while certain technical defects in the proceedings were being rectified .. .. .. .. .. | vi. | 67– 68 |
| Session Judges would, perhaps, save themselves and their establishments trouble if, in handing up petitions from convicts in which there are deliberate falsehoods, they were to mention in a report on it that there were these misrepresentations, mis-statements or contradictions, and the Court might not then think it necessary to call for the proceedings in the case .. .. | vi. | 83– 84 |

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| A prisoner should, at the end of the proceedings before a Magistrate, be informed that he is committed to take his trial before the Session Judge, for whatever the offence may be; and he should then be asked if he has any witnesses to call in his defence, and his answer should be recorded .. .. .. | vi. | 167 |
| Noticed the careless mode of entering dates in the proceedings of a Session Judge. In one sentence there is an English, in another a Hindoo date. One or other, or both, ought to be adopted throughout a trial .. .. .. .. .. | vi. | 717-718 |
| Held as incorrect the proceeding of a Session Judge in discharging, without trial, a prisoner's brothers and uncles who had been committed for trial with the prisoner. If required as witnesses, they should have been pardoned, and their evidence taken according to law .. .. .. .. .. .. | vi. | 793 |
| On the petition of a party who had a copy of a registered bond, the Magistrate ought to have called upon the opposite party to produce the original, and have ascertained whether it was or not, as the petitioner complained, a forgery .. .. .. | vii. | 64 |
| The proceedings in the case of every prisoner to whom the Thug Agent shall have granted a certificate of exemption from death, or transportation, on the condition of their giving true evidence, are to be handed up to Government, with a view to the Government directing the sentence to be indefinitely suspended .. | vii. | 96 |
| The proceedings in a case of perjury were annulled, and the parties who had been tried on one charge, because they had perjured themselves in the same case on the same day, were directed to be tried separately, as the offence of each was as distinct as if it had been committed in a different case and place and day .. .. .. .. .. .. .. | vii. | 212 |
| Copy of proceedings refused .. .. .. .. .. .. | vii. | 346-347 |
| If the Session Judge is unable to obtain from witnesses the same information they gave before the Magistrate, or that appears in the Magistrate's proceedings, he should show by the examination that his failure was not to be attributed to not asking questions which ought to have elicited similar answers, but to some other cause .. .. .. .. .. .. .. | vii. | 765-766 |
| A Session Judge, when his opinion of a case is at variance with that of the Magistrate, should submit his observations, in the first instance, to that officer, for any remarks that he might have to make upon them, and these remarks should be forwarded to the Court with the proceedings .. .. .. .. .. | vii. | 781 |
| Proceedings in which prisoners plead 'guilty' should be framed in accordance with Clause 2 Section 37 Regulation XIII. of 1827 . | viii. | 49 |
| Noticed among other points in the proceedings of an Acting Session Judge, that he is to blame for not seeing that his proceedings are properly entered, and for certifying an incorrect copy of his proceedings to the Court .. .. .. .. | viii. | 198-199 |
| Disapproved, as objectionable and entirely useless, an Acting Session Judge's remarks in the last paragraph but one of his proceedings, and he is directed to send a copy of the Sudder Court's proceedings to the Magistrate, lest he should be induced to act upon the Session Judge's suggestions .. .. .. | viii. | 252-254 |
| Observed that a Magistrate should be more careful in his monthly returns, an entry in which drew attention, and the unnecessary call for certain proceedings .. .. .. .. .. | viii. | 268 |
| Session Judges should call for proceedings at once in cases in which it is seen that the sentence is manifestly illegal .. .. .. | viii. | 355 |
| Noticed the great mistake by a Session Judge in sending his autograph notes of certain cases as counterparts of his proceedings .. .. .. .. .. .. .. .. | viii. | 478 |

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| A Judge ought to record the Vakeel's authority, or 'vakeelutnama,' in his proceedings .. .. .. .. .. .. .. | viii. | 614 |
| A Session Judge should be careful in seeing that the proceedings which he certifies to the Court as true extracts, are what they purport to be .. .. .. .. .. .. .. | viii. | 651 |
| A Session Judge is informed that, if he had mentioned in his finding that the prisoner had pleaded guilty, he would have saved himself the trouble of forwarding the proceedings to the Sudder Court .. .. .. .. .. .. .. | ix. | 199 |
| A proceeeding is not necessarily correct because the reviewing Judges did not notice it .. .. .. .. .. .. | ix. | 384 |
| An Acting Magistrate should not, when a report is called for, send up the proceedings .. .. .. .. .. .. | ix. | 465 |
| The depositions of two persons, which were read in a trial for murder, should have been translated, or their substance entered in the proceedings, under printed circulars No. 14, of the 20th March 1828, and No. 31, of the 14th March 1830 .. .. | ix. | 500 |
| The substance of a deposition in which perjury was committed is erroneously entered in the Session Judge's extract of proceedings, and from it no perjury appears .. .. .. .. | ix. | 549 |
| The whole of the proceedings and trial in a case of treason are annulled, and the Acting Session Judge directed to return the prisoner to the Magistrate, in order that he may proceed against him in accordance with the provisions of Act V. of 1841 .. | ix. | 585 |
| A Session Judge ought to have mentioned in his proceedings the "evidence" he read over to the prisoner, and have sent up translations of those papers with the case, or have entered the substance of them in his record .. .. .. .. .. | x. | 106 |
| A Joint Magistrate is requested to state the amount of security required from a prisoner, which he has omitted to enter in his proceedings.. .. .. .. .. .. .. .. | x. | 145 |
| Noticed as careless the proceedings and committal of a First Assistant Magistrate .. .. .. .. .. .. .. | x. | 155 |
| Noticed that it cannot be found from the Session Judge's proceedings what part of the evidence he read over to the prisoner. | x. | 171-172 |
| A Session Judge is requested to specify in his proceedings the evidence he reads, and give the purport, or a translation of it .. | x. | 172 |
| Noticed that no explanation for the delay in an inquest report is given in the proceedings .. .. .. .. .. .. | x. | 338-339 |
| A report, and not the proceedings, of a case should have been sent as called for .. .. .. .. .. .. .. | x. | 709 |
| Procedure, | | |
| The law of procedure should be strictly observed, and especially in the trial of a prisoner against whom a general feeling of ill-will exists .. .. .. .. .. .. .. .. | i. | 42 |
| Noticed the illegality of procedure in a Session Judge, in ordering into confinement, before the termination of a trial, certain of the accused parties while on bail; moreover, on a bond stipulating for their enlargement until the close of the proceedings .. | i. | 87- 89 |
| The procedure enjoined in circular order No. 395 (directing, in certain cases, parties to be charged with robbery, as well as receipt of stolen goods), should be strictly attended to .. .. | i. | 198 |
| Noticed as unexpected the errors of procedure on the part of an Acting Joint Magistrate .. .. .. .. .. .. | i. | 483 |
| Noticed the errors of procedure in a trial for cattle-stealing .. | i. | 483 |
| A prisoner in a case of murder should not have been discharged without trial. The more correct procedure would have been to have recorded the prisoner's plea, proceeded with the prosecution, and, in the event of the evidence appearing insufficient for conviction, the prisoner at its close could have been acquitted, | ii. | 240 |

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| The uniform practice of the Courts requires the presence of two jurymen at a trial .. .. .. .. .. .. .. | ii. | 267 |
| Noticed as an impropriety in procedure, that on the prisoner pleading guilty, the Court, without recording a conviction, adjourned the case to deliberate upon the sentence .. .. | ii. | 614–615 |
| Clause 2 Section 22 Regulation XIII. of 1827 provides for the postponement of a sentence of escape, pending the orders of the Sudder Court, whose later practice it has been, after settling the point referred to, to remit the case for disposal to the Sessions Court .. .. .. .. .. .. .. .. | iii. | 310 |
| Attention is directed to the procedure ordered by the regulations when a prisoner pleads guilty .. .. .. .. .. | iii. | 452 |
| In respect to the procedure to be followed by the Sessions Court in reviewing a conviction in the magisterial department .. | iii. | 546 |
| A Session Judge is called upon to explain his procedure in criminal cases in which delays, adjournments, and much useless procedure are observable .. .. .. .. .. .. | v. | 316 |
| Noticed the following irregularities of procedure in a trial—namely, that the witnesses for the defence were first examined; then a written defence recorded, which should not have been recorded at all; after which more witnesses were called for the defence.. | vi. | 114 |
| No considerations of convenience will justify a departure from the procedure laid down in the regulations for the conduct of criminal trials .. .. .. .. .. .. .. | vi. | 800 |
| Perjury is apparent while the witness is deposing, and instantaneous committal is not only ordinarily practicable, but nearly the universal practice, and therefore the form of committal proposed in vol. v., page 598, of Morris's report, will suffice for all ordinary occasions .. .. .. .. .. .. | vii. | 79– 80 |
| Noticed in a case of robbery, with force, by day, that the Deputy Magistrate's procedure throughout the case was right, and the Magistrate's wrong.. .. .. .. .. .. .. | ix. | 196 |
| *See* also "Custom," "Practice," "Magistrate," "Session Judge," "Trial." | | |
| Process, | | |
| Resistance to legal process; and assault, Shamrow Mahadow, and nine others .. .. .. .. | i. | 139–142 |
| The conviction and sentence in a case of resistance to legal process, attended with assault, are recommended to be made as public as possible .. .. .. .. .. .. .. .. | i. | 142 |
| Resistance to legal process; and aiding and abetting in the same, Mahomed Salay Borah, and seven others .. .. .. | ii. | 434–439 |
| As the law applicable to cases of resistance to legal process contemplates 'force' in the resistance of process issued by a civil or a criminal court, that, accordingly, the mere disobedience of a party to the simple injunction of the Magistrate to refrain from building on certain land, and subsequently to remove from it, did not constitute an offence punishable by the Magistrate under Section 25 Regulation XXV. of 1827 .. .. .. | iv. | 298 |
| Noticed that an offence committed on the 19th was not taken up by the Deputy Magistrate until the 30th, and was not therefore, as Regulation III. of 1829 requires, taken up without delay, and by such summary process as the regulations will admit of .. .. .. .. .. .. .. .. | vi. | 169 |
| Resistance, with force, to legal process, Sheeveea Bilowuree bin Bhurmapa, and four others .. .. | ix. | 233–239 |
| The Court, though they do not disturb the conviction, think that a fine would have been a more appropriate punishment than imprisonment with hard labour in a case of 'resistance to legal process' .. .. .. .. .. .. .. .. | ix. | 239 |

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| Processions, | | |
| Mohurrum processions .. .. .. .. .. .. | iv. | 762–765 |
| Notice by the Magistrate of Belgaum, prohibiting, to avoid disputes, certain religious processions from parading in parts of a town along which it had not hitherto been their custom to proceed .. .. .. .. .. .. .. .. | v. | 542–543 |
| Notice by the Magistrate of Ahmednuggur in reference to the erecting, or carrying about, taboots, punjahs, &c. .. .. | viii. | 191–192 |
| Notice by the Magistrate of Belgaum, regulating the procession, &c. of taboots, and forbidding people, when accompanying them, from carrying arms, weapons, or sticks of any description whatever .. .. .. .. .. .. .. .. | viii. | 257–258 |
| Proclamation, | | |
| Proclamation by the Magistrate of Nassick, directing the entertainment of sweepers for the better preservation of cleanliness, and the removal of nuisances, to prevent disease .. .. | ii. | 105–106 |
| The first six paragraphs of a proclamation by the Acting Joint Magistrate of Nassick being in the nature of a covenant, cannot be admitted; but to the three last, for the maintenance, according to law, of cleanliness in the town of Nassick, there appears no objection .. .. .. .. .. .. | ii. | 106 |
| Proclamation by the Magistrate of Ahmedabad, enjoining the use of such materials in erecting new houses, &c. as would offer resistance to the progress of fire, is approved and recorded .. .. .. .. .. .. .. .. | ii. | 746–748 |
| A Magistrate is not empowered to issue proclamations, except in the matter specified in Section 19 Regulation XII. of 1827, when a copy of the injunction must be forwarded to the Sudder Foujdaree Adawlut.. .. .. .. .. .. .. | iii. | 290 |
| A Magistrate is requested to withdraw a proclamation under shelter of which murder is committed and attempted to be justified .. .. .. .. .. .. .. .. | iii. | 290 |
| Whether a proclamation under Section 19 Regulation XII. of 1827 be special or general, the law requires that a copy of it should be submitted to the Sudder .. .. .. .. | iii. | 343 |
| Proclamation by the Magistrate of Dharwar, enjoining the due observance of cleanliness and decency, and prohibiting the commission of nuisance in their streets, thoroughfares, and places of public resort, is recorded .. .. .. .. .. .. | iii. | 459–461 |
| Proclamation by the Magistrate of Nassick, for the prevention of nuisances, and for the better preservation of cleanliness in the public streets, private premises and houses of individuals, is, because of an omission, directed to be withdrawn and another issued, under Section 19 Regulation XII. of 1827, in the form given in circular order No. 426 .. .. .. .. .. | iv. | 42– 44 |
| Proclamation by the Magistrate of Kaira, enjoining the use of such materials in erecting new houses, &c. as would offer greater resistance to the progress of fire, is recorded .. .. .. | iv. | 148–153 |
| Proclamation by the Magistrate of Nassick, enjoining cleanliness, and forbidding the commission of public nuisances .. .. | iv. | 264 |
| Proclamation by the First Assistant Magistrate of Sholapore, on the subject of impounding stray cattle, is not recorded, as the issue of a proclamation is not necessary to impound stray cattle, for which provision is made by Clause 8 Section 19 Regulation XII. of 1827 .. .. .. .. .. .. | iv. | 720–721 |
| Proclamation by the Magistrate of Nassick, prohibiting clothes being washed, or flax soaked, in the river near to, and above the, village of Pimpulgaum Buswunt, is recorded .. .. | iv. | 922–923 |
| Proclamation by the Magistrate of Sholapore, forbidding the sale of decayed and unwholesome grain .. .. .. .. | iv. | 986–988 |

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| A proclamation on the sale of decayed and unwholesome grain, which the Magistrate himself admits to refer to grain which has the appearance only of being old and not of good quality, cannot be upheld; it would serve only to influence prices in a direction opposed altogether to public interests .. .. .. | iv. | 988 |
| Such proclamation as a Magistrate may consider necessary he should issue, and thereafter refer to the Sudder, who, if they disapprove of it, will recall it, or otherwise it will remain in force. | v. | 24 |
| A proclamation is returned unrecorded, as it should be in the name of the Magistrate, and not of the Assistant Magistrate.. .. | v. | 333 |
| Proclamation by the Magistrate of Ahmedabad, prohibiting children from running about in the streets decorated with ornaments, is disapproved, and not recorded.. .. .. .. | vi. | 212–215 |
| A proclamation, prohibiting the people of Chiploon from going between sunset and sunrise to the place where traders' bullocks are picketed, is disapproved .. .. .. .. .. | vi. | 444–445 |
| Proclamation by the Magistrate of Ahmednuggur, prohibiting swinging by the hook at a fair .. .. .. .. .. | vi. | 666–667 |
| The effect and result of a proclamation prohibiting swinging by a hook were perfectly satisfactory .. .. .. .. | vi. | 667 |
| Proclamation by the Magistrate of Poona, prohibiting the practice of swinging by a hook, and the self-infliction of wounds, or such like penances .. .. .. .. .. .. .. | vi. | 7[illegible]–759 |
| Proclamation by the Magistrate of Ahmednuggur, prohibiting swinging by the hook .. .. .. .. .. .. | vii. | 65– 66 |
| Proclamation by the Magistrate of Ahmedabad, prohibiting rubbish, filth, &c. being thrown into the streets, drains, watercourses, &c., is recorded .. .. .. .. .. .. .. | vii. | 753 |
| Proclamation by the Magistrate of Ahmedabad, prohibiting bullocks or horses being driven or ridden along the public thoroughfares adorned with bells, is disapproved, and not recorded .. | vii. | 772–773 |
| Proclamation respecting the obstruction of public roads by cartmen, herdsmen, cattle-drivers, &c., for whose observance certain rules are promulgated .. .. .. .. .. .. .. | viii. | 81– 83. |
| The Court considering that a proclamation respecting the obstruction of public roads should be issued under Regulation XII. of 1827, instead of under Act XXI. of 1841, direct accordingly .. | viii. | 84 |
| Proclamation by the Magistrate of Ahmedabad, prohibiting 'dehroo' and the practice of magic, sorcery, and witchcraft, the Court consider that sufficient grounds have not been shown for issuing this proclamation, which had better, for many reasons, and as tending to agitate men's minds, be withdrawn .. .. | viii. | 254–256 |
| Proclamation by the Magistrate of Ahmedabad, forbidding bullocks to be ridden or driven on the public roads without the nath, or nose-string .. .. .. .. .. .. .. | viii. | 318–323 |
| Proclamation by the Magistrate of Broach, requiring, during the prevalence of the mutinies, information from travellers somewhat analogous to that of the passport systems of Europe .. | viii. | 356–357 |
| Proclamation by the Magistrate of Surat, prohibiting people from lighting large fires in the premises of the temple of Somnath Mahadeo for the purpose of boiling oil, and preparing 'bhujias'—a sweetmeat prepared in oil .. .. .. .. .. | ix. | 214–215 |
| Proclamation by the Magistrate of Surat, prohibiting, under Clause 4 Section 19 Regulation XII. of 1827, the burning of dead bodies near a spot known by the name of Morano Koowo, in the village of Mora, in the Oolpar purgunna .. .. | x. | 665 |
| The Court record the proclamation of the Magistrate of Surat, prohibiting the burning of dead bodies at or near the Morano Koowo, under the assumption that he has allotted to the Hindoos another spot for cremation .. .. .. .. .. | x. | 665–666 |

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| Procuring abortion; and aiding and abetting in the same, | | |
| Saidma kom Miylé Saheb, and two others.. .. .. | i. | 644-648 |
| Mayna kom Mahdow, and another .. .. .. .. | x. | 508-510 |
| *See* also "Abortion." | | |
| Profession, | | |
| The word *service* is quite indefinite as descriptive of a person's calling .. .. .. .. .. .. .. .. | i. | 21 |
| The name, age, sect, religion, and profession of a witness should, as specified in Clause 1 Section 36 Regulation XIII. of 1827, be ascertained and entered after the witness has been put on solemn affirmation .. .. .. .. .. .. .. .. | iii. | 129 |
| Blame is not attachable to a Government Vakeel for professionally defending a party charged with forgery .. .. .. | iii. | 740 |
| Prohibition, | | |
| Noticed as bad and to be prohibited, the practice of allowing female prisoners to sleep all night in the same room with the Police who guard them .. .. .. .. .. .. .. | v. | 37- 38 |
| A Magistrate had no power to prohibit, even at the requisition of the Superintendent of Police, a native resident of the city of Poona, from going within the camp limits of that city, nor to take security from him to that effect .. .. .. .. | v. | 50 |
| Session Judge is requested to recall as illegal an order of his predecessor, prohibiting certain parties from acting as counsel in criminal trials .. .. .. .. .. .. .. | vii. | 381 |
| Prohibition against carrying on business in public thoroughfares.. .. .. .. .. .. .. .. .. | viii. | 214-216 |
| Proof, | | |
| Property required to be proved in the Sessions Court should not be transferred from one Policeman to another .. .. .. | i. | 79 |
| After verdict, character may be proved as a cause for enhancing punishment.. .. .. .. .. .. .. .. | i. | 192 |
| In a case of murder, the inquest report ought to have been proved and recorded in the case, and the jurors sworn .. .. .. | i. | 417 |
| Caution given against thinking that, because something has been proved in one case before the Court, it is unnecessary to prove the same point in another case .. .. .. .. .. | i. | 436 |
| Noticed that the confessions of the prisoners were recorded without being proved .. .. .. .. .. .. .. | i. | 648 |
| The prisoners' confessions not having been proved, ought not to have been recorded as evidence .. .. .. .. .. | i. | 660 |
| The way to prove an inquest report, or any paper bearing the signature of witnesses, is not by reading it over to them, but by showing them their signatures, and on their recognising these, discovering what the document is .. .. .. .. | ii. | 6 |
| When an inquest report, or any other document, has been proved by the evidence taken separately of the attesting witnesses, it should then be read, and afterwards recorded .. .. .. | ii. | 7 |
| Noticed that the plan of a scene of murder is recorded without being proved .. .. .. .. .. .. .. | ii. | 7 |
| Noticed instance of an inquest report not having been proved in the manner it should have been; the members having been examined all at once, instead of separately .. .. .. | ii. | 45 |
| The members who signed an inquest report being able to write, the Session Judge should have shown them their signatures, and, on their recognition of them, should have proved the document, and not have read it over to them first, then called on them to prove it .. .. .. .. .. .. | ii. | 74 |
| Observed that the prisoner's confession should have been proved .. .. .. .. .. .. .. .. | ii. | 122 |

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| A statement made for the purpose of establishing an *alibi*, though not corroborated by the witnesses called to prove it, became evidence for the prosecution, and, as such, the Session Judge should have proved it, and have examined the witnesses originally called for the defence, for the prosecution.. .. .. | ii. | 139–140 |
| The statements of two prisoners not having been proved and recorded neither for the prosecution nor for the defence, should not have been referred to when cross-examining the witnesses for the defence .. .. .. .. .. .. .. | ii. | 198 |
| A Session Judge should have proved and recorded the statements made by the prisoners before the District Police Officer .. | ii. | 223 |
| A deposition which the attesting witnesses did not hear made but were told to attest by the deceased, should not have been recorded without examining the Karkoon who wrote it, and if he proved it, it might then have been recorded.. .. .. | ii. | 225–226 |
| Witnesses examined to prove documents should not be asked whether they know the person, or attested his deposition, but the document or deposition should be shown to them, and they be asked whether they know the handwriting or signature; and upon their recognising them, they should be examined as to the circumstances under which they wrote or attested the deposition or document .. .. .. .. .. .. | ii. | 231 |
| The identity of a prisoner should have been proved before recording the former warrant under which he was imprisoned.. | iii. | 199 |
| A prisoner's confession ought to have been proved before it is recorded against him .. .. .. .. .. .. | iii. | 261 |
| Ditto ditto ditto ditto .. | iii. | 346 |
| The statements of prisoners should be proved before they are read and recorded against them.. .. .. .. .. | iii. | 351 |
| Evidence should have been taken as to the handwriting of a bond, and the proof should not have been left to the chance of the prisoner's admitting his handwriting .. .. .. .. | iii. | 351 |
| The condition and sentence of a party tried for perjury are annulled, the Sudder Court considering that it was not sufficient proof of the alleged perjury to produce an opposite statement of the accused party also upon oath .. .. .. .. | iii. | 873 |
| Noticed in a trial for murder, that the confession of one of the prisoners should have been proved before it was received, and that it should have been recorded for the prosecution, and not for the defence .. .. .. .. .. .. .. | iv. | 99 |
| The identity of the prisoner with the convict in the warrant should have been proved .. .. .. .. .. .. | iv. | 168–169 |
| The report of a jury of matrons in a case of attempt at rape ought not to have been recorded without being proved .. .. | iv. | 194 |
| Advertence should not be made to former crimes and punishments when the Court has not the means of proving that they ever existed .. .. .. .. .. .. .. .. | iv. | 234 |
| Proof of conviction of one offence is not to be given to prove another .. .. .. .. .. .. .. | iv. | 235 |
| Proof of conviction ought to be recorded after present conviction, with a view to measure and enhance the punishment .. .. | iv. | 235 |
| The warrant recorded in the proceedings should have been proved .. .. .. .. .. .. .. .. | iv. | 588 |
| Further evidence should have been taken to prove the handwriting of a prisoner who avers he cannot write, and could not, if this were true, have drawn up the agreement in which he is made to play such a prominent part .. .. .. .. .. | iv. | 711 |
| It is a more correct practice to prove a confession by independent testimony, than to rely upon its being admitted without any further proof .. .. .. .. .. .. .. | v. | 31– 32 |

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| The copy of a warrant showing the former conviction of a prisoner should be proved by a competent witness from the 'duftur,' before it is recorded .. .. .. .. .. .. | v. | 64 |
| A prisoner's statement should not have been taken as corroborative of the confession of his comrade .. .. .. .. | v. | 288 |
| The confession of a prisoner should not be read over to him, and the prisoner asked if he admit it, but the confession should be proved without asking the prisoner any questions .. .. | v. | 303-304 |
| Confessions are not proved by the witnesses saying that they heard the statement read over to the prisoner, and that he admitted it, but the witnesses must be present at the time the statement is made, and having seen it taken, must attest it, and be able to declare the statement shown to them to be the one they heard given .. .. .. .. .. .. .. .. | v. | 315 |
| Noticed in a case of perjury, that the prisoner should not have been asked whether he admitted the document; the Court should have proved and then recorded it.. .. .. .. | v. | 365 |
| Statements as to general character should be taken after conviction in aggravation of punishment, not as evidence to prove the charge. | v. | 542 |
| Strong suspicions of bribery, not susceptible, however, of perfect proof, being entertained against a Mamlutdar, his conduct will be submitted to Government .. .. .. .. .. | v. | 628-634 |
| The District Police Officer being before the Court, should have been made to prove the prisoner's statement .. .. .. | v. | 702 |
| It is superfluous to cause the members of an inquest to recapitulate in their depositions before the Sessions Court the contents of their report, but their testimony should be confined to proving the paper .. .. .. .. .. .. .. | v. | 751 |
| A Session Judge ought not to admit into charges averments which are not required by law, and which he does not think it necessary to see proved on the trial .. .. .. .. .. .. | v. | 776 |
| The confession made by the prisoner before the Assistant Magistrate should have been proved before the Session Judge, and recorded for the prosecution .. .. .. .. .. | v. | 782 |
| All documents should be proved before they are recorded, and none should be recorded which are not proved .. .. | v. | 839 |
| A person having been acquitted of the charges preferred against him, no delay ought to have taken place in giving him possession of the property found in his house, and which was suspected, but not proved, to be stolen .. .. .. .. .. | v. | 848 |
| Noticed instance in which, by recording the statement of a prisoner on his admission merely, instead of proving it, the case had to be returned for correction, and the prisoner kept confined for three months under a sentence of death, which, until the proceedings were complete, the Court could not affirm.. | vi. | 63 |
| When a prisoner retracts his confession, the Court must have more evidence for conviction than mere proof that the prisoner told the story which constitutes his confession .. .. | vi. | 75 |
| A prisoner's confession should not have been read before it was proved .. .. .. .. .. .. .. .. .. | vi. | 138 |
| When attesting witnesses fail to prove a confession, the Karkoon who wrote it, or the officer before whom it was given, should be examined as a witness .. .. .. .. .. .. | vi. | 279 |
| It is a good defence in perjury when the prisoner can prove that an explanation was given qualifying or limiting his first answer. | vi. | 316 |
| The Deputy Magistrate should have required from the Police proof that the robbery had been committed, and some further evidence against a man than the testimony of two women, who, just awoke from sleep, concur in recognising the robber as a neighbour, and his dress *a bare head and dhotur* .. .. .. | vi. | 320 |

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| Documents should not be read on a trial before they are proved.. | vi. | 405 |
| A prisoner's confession should not be read until after it is proved .. .. .. .. .. .. .. .. | vi. | 405 |
| Noticed instance in which, except a prisoner's plea of guilty, there is no proof against him whatever, and that, had she pleaded not guilty, and denied her confession, she must have been acquitted. | vi. | 408 |
| Noticed the irregular manner in which, in a trial for conspiracy, forgery, and uttering a forged document, documents relied upon as proof in the case have been put in without being proved .. | vi. | 569 |
| The fraudulent use of a document must be proved, and not be matter of suspicion only, however grave that suspicion may be. | vi. | 717 |
| Noticed instance in which the inquest report and other papers have been recorded without being regularly proved.. .. | vi. | 888 |
| Placing 'mohsul' upon a village is a most objectionable way of obtaining evidence, and were proof dependent solely upon the evidence so obtained, the prisoner would have to be discharged. | vi. | 896 |
| Noticed in a trial for perjury, that the Session Judge should have proved the prisoner's statement before the District Police Officer and Assistant Magistrate, and have recorded it as evidence for the prosecution, since the prisoner admits the perjury, but urges a plea in extenuation which had been met by evidence for the prosecution, and it then remained for the prisoner to prove the extenuating circumstances, which he has not attempted to do .. .. .. .. .. .. | vii. | 70 |
| Important points of evidence should never be left to be proved by the evidence of the prisoner's relations .. .. .. | vii. | 241 |
| The deposition first given must be assumed to be true until the prisoner proves the facts which, he says, induced him to make a false statement .. .. .. .. .. .. | vii. | 591 |
| Noticed instance in which the confession of the prisoner should have been proved before it was recorded .. .. .. | vii. | 604 |
| Noticed a Session Judge having recorded many documents without proving them but upon the prisoner's admissions—a practice to which objection has been often made .. .. .. | vii. | 751-752 |
| Because a deceased person's statement could not be proved, not having been attested, and because it was not taken when the deceased was in expectation of death, are not reasons for not recording or using it as evidence. It is not necessary that a witness' deposition should be attested, and, therefore, attesting witnesses are not necessary to prove the deposition. It might have been proved by the Karkoon who wrote it, or by the District Police Officer before whom it was taken, and so long as it was taken in the prisoner's presence and on affirmation—the prisoner having power to cross-examine the witness—it was good evidence, and, after the deponent's death, might, under Clause 7 Section 34 Regulation XIII. of 1827, have been used against the prisoner .. .. .. .. .. .. | viii. | 53 |
| Noticed instance in a case of conspiracy in which, though the charge may not have been proved, it is not necessarily false because it is not proved .. .. .. .. .. .. | viii. | 641 |
| An inquest report ought not to be recorded until after it is proved that the person on whom it was held is dead .. .. .. | viii. | 650 |
| A Session Judge ought not to record an inquest report before he has proved it .. .. .. .. .. .. .. | ix. | 29 |
| A Session Judge should not record documents before he has proved them .. .. .. .. .. .. .. .. | ix. | 29 |
| A Session Judge should not have recorded a prisoner's confession before he had proved it .. .. .. .. .. .. | ix. | 29 |
| Noticed in a case of conspiracy, that certain exhibits are not proved, nor is it shown whence they came into court .. .. | ix. | 173 |

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| Noticed instance in which an Assistant Magistrate proves the confessions as evidence for the prosecution, but records them for the defence. He ought to have recorded them as soon as he had proved them, and to have put the prisoners on their defence afterwards .. .. .. .. .. .. .. .. | ix. | 472 |
| Property, | | |
| Property required to be proved in the Sessions Court should not be transferred from one Policeman to another, as it hazards identification .. .. .. .. .. .. .. | i. | 79 |
| An Assistant Magistrate's order, directing, in a case of disputed property, the Mamlutdar not to interfere, and the documents to be returned to the person from whose possession they were taken, was correct .. .. .. .. .. .. .. .. | ii. | 49 |
| Property in evidence before a court should not be returned until the case is finally disposed of .. .. .. .. .. | ii. | 175 |
| A village Foujdar having furnished a watchman to guard property, it should have been shown where the money was deposited, and how many persons were in charge of the box .. .. .. | ii. | 428 |
| A fine to be levied by distress for injuring the property of another is remitted, Act XVI. of 1850, under which it was imposed, applying solely to stolen property .. .. .. .. | iii. | 117 |
| Fraudulently removing property from its owner is not cognisable under Section 40 Regulation XIV. of 1827 .. .. .. | iii. | 672 |
| Property of a person accused of robbery .. .. .. .. | iii. | 676-677 |
| In respect to breaking through fences, the Magistrate is reminded that Clause 3 Section 42 Regulation XIV. of 1827 provides a punishment for such an injury to public property .. .. | iv. | 42 |
| Property lodged in Court as stolen, or suspected property, should not be confiscated, but held in deposit for the owner who may succeed in establishing a claim to it .. .. .. .. | iv. | 148 |
| A prisoner charged with forgery is directed to be remanded to the Magistrate to be committed on a charge of secretly injuring the property of another .. .. .. .. .. .. | v. | 112 |
| The schedule of a pauper must contain, without reservation of any kind, a list of everything he is possessed of. No option and no discretion are allowed a pauper as to what he should enter in his schedule .. .. .. .. .. .. | v. | 383 |
| Order of a Magistrate in a claim to property .. .. .. | vi. | 193-194 |
| A Magistrate is informed that, if he applies with due discretion the instructions conveyed in the Court's circular No. 244, of the 13th August 1841, which are intended to guard against the arrest of accused persons on insufficient grounds, with the instructions sent him on the 14th January 1857, to guard against the dismissal of complaints on insufficient grounds, he will not find them clash; nor that it will be necessary either to harass the innocent by arrest on unfounded charges, or to stifle inquiry, because a party (a stranger) has no proof at hand of his ownership of property alleged to have been stolen from him .. .. | vii. | 302 |
| Property, in the absence any one proving a better title to it, belongs, of course, to the person in whose possession it was found .. .. .. .. .. .. .. .. | vii. | 562 |
| Property found in the possession of a prisoner, should no other party appearing to make good their claim, be made over to the prisoner on his acquittal .. .. .. .. .. .. | vii. | 565-566 |
| A Magistrate and his Deputy have no power to give possession of immoveable property to any one .. .. .. .. .. | viii. | 109 |
| Property, against the dispossession of which all diligence was made in appeal, should not have been made over to the opposite party, from whom, the decision having been reversed, the restitution of the property, or of its value, must be obtained .. | viii. | 119-124 |

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| A petitioner is informed that he was rightly referred to the civil court for redress regarding property .. .. .. .. | viii. | 204 |
| A petitioner is referred to the civil courts to sue the Magistrate and another party for the restoration of his property .. .. | viii. | 356 |
| Noticed the misconduct of a Police Patel in not reporting the death of a woman to the District Police Officer, and allowing her property to be expended .. .. .. .. .. | ix. | 100-106 |
| A petitioner, seeking the restoration of property made over to another by the Magistrate, is referred for redress to the civil court .. .. .. .. .. .. .. .. | x. | 304 |
| An Assistant Magistrate should not have interfered in the possession of property otherwise than by referring the parties to a civil suit .. .. .. .. .. .. .. .. | x. | 304 |
| Appropriation of property by breach of trust.—*See* "Breach of Trust." | | |
| Disputes regarding possession of.—*See* "Possession." | | |
| Destruction of, intentionally, or unintentionally, by fire, or otherwise.—*See* "Crimes, Miscellaneous," "Destruction," "Fire." | | |
| Embezzlement of property.—*See* "Embezzlement." | | |
| Encroachments on property, land, roads, &c.—*See* "Encroachment," "Land," "Roads," "Thoroughfares," &c. | | |
| Frauds in regard to, or concerning property.—*See* "Fraud." | | |
| Giving possession of property.—*See* "Possession." | | |
| Misconduct in regard to, or the search, tracing, or recovery of property.—*See* "Misconduct," "Neglect," "Police," "Stolen Property." | | |
| Neglect of, or in respect to, or the search, tracing, or recovery of property.—*See* "Misconduct," "Neglect," "Police," "Stolen Property." | | |
| Order regarding, or in respect to property.—*See* "Order," "Possession." | | |
| Receiving stolen property.—*See* "Receiving Stolen Property," "Stolen Property." | | |
| Rights in respect to possession of.—*See* "Possession." | | |
| Robbery of property.—*See* "Robbery," "Stolen Property." | | |
| Theft of property.—*See* "Stolen Property," "Theft," "Receiving Stolen Property." | | |
| A warrant should not have been recorded for the prosecution until after a conviction .. .. .. .. .. .. .. | i. | 20- 21 |
| The sworn deposition of a prisoner as evidence for the prosecution ought not to have been recorded, his examination before the Police on affirmation not being admissible against him.. .. | i. | 70 |
| Remarked in a trial for culpable homicide, that the Session Judge should have made particular inquiry into the character and conduct of the prisoner, considering that the evidence for the prosecution was mainly confined to the relatives of the deceased .. .. .. .. .. .. .. .. | i. | 103 |
| A prisoner may urge general character in defence, but it is not the practice for the prosecution to impart into the case any allusion to a former conviction .. .. .. .. .. .. | i. | 192 |
| A witness for the prosecution ought not to have been summoned on the inquiry, which should always be composed of impartial persons .. .. .. .. .. .. .. .. | i. | 447 |
| The prosecution is injured by any statement made by a prisoner not advantageous to himself being omitted on the trial .. | i. | 674 |
| A Session Judge intending to use an *alibi* which failed as evidence for the prosecution, should have proved the prisoner's statement and recorded them for the prosecution, and then have taken the evidence of the witnesses who failed to prove the *alibi* as evidence in support of the charge .. .. .. .. .. | ii. | 139-140 |

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| Suggested to the Magistrate of Poona whether, with reference to a return of the Session Judge of the Konkun, No. 678, of the 7th June 1854, certain parties should not be prosecuted for conspiracy and perjury .. .. .. .. .. .. .. | ii. | 154 |
| The statements of two prisoners not having been recorded either for the prosecution or for the defence, should not have been referred to when cross-examining the witnesses for the defence .. | ii. | 198 |
| A prisoner in a case of murder should not have been discharged without trial. The more correct procedure would have been to have recorded the prisoner's plea, proceeded with the prosecution, and, in the event of the evidence appearing insufficient for conviction, the prisoner at its close could have been acquitted .. .. .. .. .. .. .. .. | ii. | 240 |
| The excuse of a District Police Officer for not, in taking the statement of a woman, administering the affirmation, because, had the woman lived, she would have been subject to a criminal prosecution herself for abortion, is altogether inexcusable .. .. .. .. .. .. .. .. | ii. | 272 |
| The written statement of a prisoner as to what she said before the District Police Officer being recorded, witnesses in regard to this (her statement) need not have been examined for the prosecution, as their recollection of what she had said was no evidence so long as the statement itself could be produced, and which, being in writing, ought to have been recorded for the prosecution .. .. .. .. .. .. .. | ii. | 278 |
| Noticed that a person who deposed to his lodging in a house in which a robbery was committed was not examined, as he should have been, for the prosecution .. .. .. .. .. | ii. | 428 |
| The Sudder consider that a man found soon after a robbery in possession of the stolen property is the thief, unless he proves that he has become possessed of it in some other way than by stealing .. .. .. .. .. .. .. .. | ii. | 511 |
| It being considered that a Session Judge should have sent the prisoners to be dealt with by the Police, his order is amended, and the prisoners directed to be made over to the Police .. | ii. | 644 |
| Noticed in a trial for rape, that the evidence for the defence failing, the witnesses should have been examined for the prosecution, as a charge for rape is easily made and extremely difficult to be refuted, and consequently all available evidence should be recorded .. .. .. .. .. .. .. .. | iii. | 152 |
| The witnesses for the defence who had disproved the *alibi* set up by the prisoner should have been cited for the prosecution.. | iii. | 331 |
| As a general rule, the character of a witness is so far inconsistent with that of prosecutor, that the latter must be considered as an interested party .. .. .. .. .. .. .. | iii. | 599 |
| Noticed as very objectionable and illegal, that when the evidence for the defence was going on, the evidence of the Superintendent of Police was taken, although he was conducting the prosecution; and that, when the evidence for the defence was going on, he was called into the witness-box to contradict one of the deponents, instead of weakening the testimony by cross-examination, the only course open to him .. .. .. .. .. .. | iii. | 599–600 |
| Noticed in a trial for murder, the improper rejection by the Session Judge of the evidence for the defence of two witnesses because they were prostitutes, and because one of them possibly prostituted herself to the prisoners every day, an assumption which there is no trace of evidence to justify, and that, even when in the course of the prosecution anything was elicited in favour of the prisoners, it was received with little consideration .. .. .. .. .. .. .. .. .. | iii. | 659 |

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| A woman who was guilty, according to her own showing, of the concealment of murder before and after the fact, and had been examined as an accused person on a charge of murder, ought to have been pardoned before her evidence was taken; and that it was not competent to cite her as a witness for the prosecution before she was pardoned, she being exempted by law from being called upon to state anything criminatory of herself .. | iii. | 868–869 |
| If an Assistant Magistrate disbelieved the evidence for the prosecution, it was improper for him to have called upon the accused to give security .. .. .. .. .. .. | iii. | 876 |
| Noticed that the evidence against the prisoners is Police evidence, in support of a Police prosecution, to clear the character of a Police Karkoon, or writer, their accusation against whom had been dismissed without being inquired into and being formally disposed of by the Magistrate .. .. .. .. .. | iv. | 7– 11 |
| Noticed in a trial for murder, that the confession of the prisoner should have been proved before it was received, and should have been recorded for the prosecution, and not for the defence .. | iv. | 99 |
| Noticed instance in which the statement of a female prisoner, as well as the statements of the other prisoners before the Magistrate, should have been recorded for the prosecution .. .. | iv. | 99 |
| Noticed that the English record of a Session Judge does not show that the prosecution was formally closed, and the prisoner put upon his defence .. .. .. .. .. .. .. | iv. | 139 |
| A Session Judge was altogether in error in refusing to allow the prosecution to proceed for reasons so inadequate as those recorded .. .. .. .. .. .. .. .. | iv. | 171–173 |
| A retracted confession proved to have been voluntarily given, is evidence for the prosecution, and should have been so recorded. | iv. | 225 |
| A retracted confession proved to have been voluntarily given, is evidence for the prosecution, and should not have been recorded for the defence .. .. .. .. .. .. | iv. | 225 |
| Noticed instance in which a prosecution would have been greatly strengthened had the parties to a 'punchnama,' recorded for the defence, been examined .. .. .. .. .. .. | iv. | 245 |
| In answer to a reference of the Session Judge, that officer is informed that the Sudder can neither direct nor forbid any further prosecution of the individual referred to, and that the Magistrate must be left to act under his own view of the law .. .. .. .. .. .. .. .. | iv. | 502 |
| Noticed a Session Judge's omission to record in his finding on a case of rape, a very material observation of the prosecution against her chief assailant—the village Patel's son .. .. | iv. | 538 |
| Former character ought not to be adverted to as evidence for the prosecution .. .. .. .. .. .. .. .. | iv. | 853 |
| A former conviction ought not to be recorded as evidence for the prosecution .. .. .. .. .. .. .. .. | iv. | 853 |
| Noticed instance in which the proceedings do not show that the witnesses had any opportunity for rebutting the accusation .. | v. | 81 |
| To examine a prisoner before the Court for the prosecution is erroneous .. .. .. .. .. .. .. .. | v. | 106 |
| Noticed instance in which the prisoner's confession should have been proved and recorded for the prosecution .. .. .. | v. | 782 |
| If evidence for the defence is to be suspected because evidence is procurable in the bazar for money, that for the prosecution must be open to the same objection .. .. .. .. | v. | 455 |
| A Session Judge is not confined to taking only the evidence of those examined by the Magistrate, but is at liberty to call for any other witnesses he may think necessary to support either the prosecution or defence .. .. .. .. .. | vi. | 235 |

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| Noticed in a case of embezzlement, breach of trust, and fraud, that the prosecutor having his remedy under Section 16 Act XIII. of 1850, the fine should not have been awarded to him .. | vi. | 747 |
| Entering on the defence, and thence reverting to the prosecution, is opposed to a fundamental rule for the conduct of criminal trials, as laid down in Section 38 Regulation XIII. of 1827 .. | vi. | 794 |
| A prisoner should be called upon for his defence after the evidence for the prosecution is entirely completed, and only then .. | vi. | 800 |
| An unestablished *alibi* may be made available for the prosecution by proving the statements of the prisoners and recording them for the prosecution, and then taking the evidence of the witnesses who failed to prove the *alibi* as evidence in support of the charge. | vi. | 851 |
| A party, having preferred charges against a Mahalkuree, was bound over to prosecute, and being absent on one occasion, was adjudged to pay a fine of seven hundred Company's Rupees. This, considering the long period over which the inquiry extended, and the frequent adjournments, the Court held excessive, and reduced to one hundred Company's Rupees .. .. | vii. | 42 |
| Noticed in a trial for perjury, that the Session Judge should have proved the prisoner's statements before the District Police Officer and Assistant Magistrate, and have recorded it as evidence for the prosecution, since the prisoner admits the perjury, but urges a plea in extenuation, which had been met by evidence for the prosecution, and it then remained for the prisoner to prove the extenuating circumstances, which he has not attempted to do.. | vii. | 70 |
| The Dufturdar of the Rewa Kanta can, through the Political Agent, be invited to attend to prosecute before the Magistrate of Kaira certain British subjects for forgery committed within British territory, but uttered in the Rewa Kanta state .. .. | vii. | 372-373 |
| A party having, in a petition to the Revenue Commissioner, threatened that, in the event of his prayer not being complied with, he would commit a breach of the peace, attended with murder, should, as the character of the prisoner was bad, have been prosecuted under Section 35 Regulation XIV. of 1827 .. | viii. | 2 |
| A petitioner not appearing to receive an answer to his petition, is to be sent to the Magistrate with instructions to proceed against the petitioner, should he think a prosecution for perjury can be sustained .. .. .. .. .. .. .. .. | viii. | 617-620 |
| Noticed that, on the principle which influences an Acting Magistrate, the parties acquitted on a trial might injure those by whom they had been prosecuted, every person might be called upon after acquittal to find security to keep the peace towards the witnesses for the prosecution. The Court annul the order for security.. .. .. .. .. .. .. .. | ix. | 162 |
| Noticed instance in which an Assistant Magistrate proves the confessions as evidence for the prosecution, but records them for the defence. He ought to have recorded them as soon as he had proved them, and to have put the prisoners on their defence afterwards.. .. .. .. .. .. .. | ix. | 472 |
| Noticed instance in which a Police Patel should have been examined as a witness for the prosecution .. .. .. .. | x. | 604 |
| Prosecutor, Prosecutrix, | | |
| As a general rule, the character of witness is so far inconsistent with that of prosecutor, that the latter must be considered as an interested party.. .. .. .. .. .. .. | iii. | 539 |
| Noticed confusion in the record of a case as to the name of the prosecutrix, which should have been avoided .. .. .. | iii. | 736 |
| Noticed a Session Judge's omission to record in his finding in a case of rape, a very material observation of the prosecutrix against her chief assailant—the village Patel's son .. .. | iv. | 538 |

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| Noticed in a case of embezzlement, breach of trust, and fraud, that the prosecutor having his remedy under Section 16 Act XIII. of 1850, the fine should not have been awarded to him.. | vi. | 747 |
| **Prostitute,** | | |
| Noticed in a trial for murder, the improper rejection by the Session Judge of the evidence of two witnesses because they were prostitutes, and because one of them possibly prostituted herself to the prisoners every day, an assumption which there is no trace of evidence to justify .. .. .. .. .. | iii. | 659 |
| **Prostitution,** | | |
| Eighteen months imprisonment with hard labour is considered too slight a punishment for a man convicted of committing rape on a girl of seven years of age, even though the child is being brought up to prostitution.. .. .. .. .. .. | ix. | 461 |
| **Provocation,** | | |
| The provocation to a serious assault not having been sufficiently weighed in awarding punishment, the Sudder remit all the solitary imprisonment and stripes and imprisonment with hard labour above one year .. .. .. .. .. .. | x. | 413 |
| Calumnious, or threatening expressions, or other conduct tending to provoke a breach of the peace.—*See* "Assault," "Breach of the Peace." | | |
| **Public,** | | |
| No advantage can result to the public from the minute divulgements of the Police as to how they obtain their information .. | iii. | 595 |
| A proclamation on the sale of decayed and unwholesome grain is objected to, as it would serve to influence prices in a direction directly opposed to the interests of the public .. .. .. | iv. | 988 |
| *See* also "Proclamation." | | |
| Perjury and forgery are not among the offences contemplated by the regulations as rendering a man the object of public distrust, and to refrain from which recognisance or security may be demanded .. .. .. .. .. .. .. .. | vii. | 285 |
| **Public Accounts.**—*See* "Account," "Embezzlement," "Fraud," "Revenue." | | |
| **Public Land.**—*See* "Land." | | |
| **Public Money,** | | |
| A Havildar of peons not being entrusted with the charge or collection of public money, is therefore not one who can be convicted of receiving a present, and sentenced under Sect. 2 Reg. XVI. of 1827, even with the extension of Reg. V. of 1833 .. | viii. | 316-317 |
| The conviction and sentence passed upon a village Mookhee accused of appropriating village revenues are annulled, the collection made not being public money .. .. .. .. | x. | 119 |
| Coining money without authority.—*See* "Coin." | | |
| Issuing false coin as public money.—*See* "Coin." | | |
| Embezzlement of public money.—*See* "Embezzlement." | | |
| Frauds in respect to public money and accounts.—*See* "Fraud." | | |
| Making use of, or appropriating, public money.—*See* "Breach of Trust," "Crimes, Miscellaneous," "Revenue," "Theft." | | |
| **Public Meetings,** | | |
| The Sudder Court approve of the notification of the Magistrate of Dharwar, prohibiting public meetings, except for the celebration of festivals or religious worship, or for the purpose of attending at weddings or funerals without written permission; and are prepared to go further and prohibit all public meetings, whether for festivals, or religious worship, without the Magistrate's permission .. .. .. .. .. .. .. .. | viii. | 245-246 |
| **Public Nuisance.**—*See* "Injunction," "Notice," "Notification," "Nuisance," "Order," "Proclamation." | | |

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| Public Officer, | | |
| A person is not liable to punishment for trying to bribe a public officer; for the offer of a bribe is not penal, as declared in the Court's circular No. 25, of the 9th May 1829 .. .. .. | iii. | 557 |
| *See* also "District Police Officer," "Magistrate," "Patel," "Session Judge," "Superintendent of Police." | | |
| Public Offices.—*See* "Court," "Cutcherry." | | |
| Public Resort.—*See* "Injunction," "Notice," "Order," "Proclamation." | | |
| Public Rights, | | |
| If any unlawful obstruction of a road has been committed, or public right of thoroughfare invaded, it is desirable to proceed under Act XXI. of 1841, which is applicable to such cases .. | iii. | 343 |
| *See* also "Encroachment," "Injunction," "Notice," "Obstruction," "Order," "Proclamation." | | |
| Public Roads.—*See* "Road," "Street," "Thoroughfare," "Way or Highway." | | |
| Public Street.—*See* "Street." | | |
| Public Thoroughfare.—*See* "Road," "Street," "Thoroughfare," "Way." | | |
| Public Way, or Highway.—*See* "Road," "Street," "Thoroughfare," "Way." | | |
| Public Works, | | |
| A Karkoon in the department of public works is charged with, but acquitted by the Sudder Court of, defrauding Government.. | i. | 40- 43 |
| Publisher, Publishing.—*See* "Press." | | |
| Pudansing wulud Kesursing.—His imprisonment sanctioned for a further period of twelve months .. .. .. .. .. | vi. | 545 |
| Pudia bin Kumlia Mahtra, and six others.—Concealment of murder after the fact .. .. .. .. .. .. .. | ix. | 51- 56 |
| Puna bin Okajee.—Uttering a forgery .. .. .. .. .. | v. | 800-802 |
| Punchayet, Punchnama, and Punchayetnama, | | |
| Noticed instance in which the 'punchayetnama' should have been read and recorded by the Session Judge.. .. .. .. | iv. | 97 |
| Observed instance in which the prosecution would have been strengthened had the parties to a 'punchnama' recorded for the defence been examined .. .. .. .. .. .. | iv. | 245 |
| Noticed in a case of murder, that the 'punchayetnama,' instead of being, as it should be, an inquest on the body of the deceased, exhibits only an inquiry into the locality in which the murder was committed .. .. .. .. .. .. .. | iv. | 731-732 |
| The notice of the Magistrate is directed to the ignorance displayed by the Police authorities, on the occasion of a murder, as to the purpose for which an inquest should be assembled in such cases. | iv. | 731-732 |
| A Magistrate, having appointed a 'punchayet' to report on a nuisance, was bound, by Section 3 Act XXI. of 1841, to abide by its decision; he could not, disapproving of the finding of the 'punchayet,' appoint another to re-examine a matter already settled .. .. .. .. .. .. .. .. | vii. | 499 |
| A 'punchayet' having been appointed to report on certain boundaries, their opinion ought, but for some strong reasons, to have had more force than the uncertain testimony of neighbouring cultivators; and as upon the testimony of the latter, in opposition to that of the former, a party has been convicted and sentenced for fraud, the conviction and sentence are by the Sudder Court annulled .. .. .. .. .. .. .. .. | viii. | 7 |
| The opinion of the 'modee' of a Parsee 'punchayet' is clear that a Parsee woman cannot, during her husband's life-time and without his consent, marry another man; and that if she do so, the contract is null and void, and she and the man are guilty of adultery. | viii. | 111 |

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| A Magistrate's order for the removal of a veranda is directed to be confined to the eight inches of encroachment which the 'punchayet,' or committee, pronounce to have been made on the public road.. .. .. .. .. .. .. .. | viii. | 260 |
| The order of the Magistrate, issued in opposition to the decision of a 'punchayet,' held under Section 3 Act XXI. of 1841, is reversed .. .. .. .. .. .. .. .. | x. | 199 |
| Punchun Peerthee.—Attempt to commit murder .. .. .. | ix. | 70- 71 |
| Punishment, | | |
| A prisoner's term of imprisonment having expired when he was re-apprehended, the sentence of a Session Judge, adjudging him to undergo the balance of punishment which he would have suffered had he not escaped, is illegal .. .. .. .. | i. | 548 |
| Noticed in a case involving fraud and forgery of the worst description, that the punishment should not have fallen short of the severest the law allows for that class of crimes .. .. .. | i. | 598 |
| Noticed the great impropriety of postponing punishment so long after trial in cases involving capital punishment.. .. .. | i. | 616 |
| Punishment need not be vindictive in order to be correctional and preventive. It is better to err in acquitting, than err in punishing .. .. .. .. .. .. .. .. | i. | [illegible]8 |
| After verdict, character may be proved as a cause for augmenting punishment, but never before as an apparent substitute for evidence .. .. .. .. .. .. .. .. | i. | 192 |
| The arguments of a Session Judge, in respect to the mitigation of a secondary punishment for murder, are not valid .. .. | i. | 333 |
| Attendant circumstances, and not the act alone, should be considered in determining punishment .. .. .. .. | ii. | 94 |
| In cases of perjury, when the man does not commit the perjury for his own interest, it is salutary to make a fine part of the punishment .. .. .. .. .. .. .. .. | ii. | 285 |
| Parties cannot be punished for receiving, without the British territories, property stolen from within them.. .. .. .. | ii. | 259 |
| Ditto ditto ditto ditto .. | v. | 525 |
| On punishment being awarded to a prisoner for escape from custody, mention should be made when the sentence he was undergoing would expire, irrespective of that to which he is subjected for escape .. .. .. .. .. .. | ii. | 407 |
| The punishment awarded a prisoner by the Assistant Magistrate for obstructing the course of public justice, was illegal, and the sentence, which the Acting Magistrate should have annulled, must now be quashed .. .. .. .. .. .. | ii. | 562 |
| Should an innocent man escape from custody, or the crime for which he was in confinement at the time of his escape not be proved, still Section 2 Regulation V. of 1831 clearly shows that the gravamen of the offence is the 'escape,' the extent, or degree of punishment, being governed by the mode of 'escape,' and that without any reference to the prisoner being guilty of the offence with which he is charged.. .. .. .. .. | ii. | 566 |
| The punishment for escape from custody Section 24 Regulation XIV. of 1827 provides should be of the same nature as that to which the prisoner had been sentenced, but is not to exceed four years imprisonment; so that, as a man may for murder be sentenced to imprisonment for life, he may, for escape from custody when confined on a charge for murder, be sentenced to imprisonment for not more than four years .. .. .. | ii. | 567 |
| Noticed in a case of murder, that it was not correct in the Judge to reduce, without reasonable cause, an offence below the character it bore, and usurp, as it were, the office of the executive in mitigating punishment .. .. .. .. .. .. | ii. | 648-649 |

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| In such offences as the one under review (that of melting suspicious ornaments), which was punishable with public disgrace, and is yet punishable with flogging, the circumstances must be very peculiar indeed which will justify a Court in abstaining from adding labour to the sentence .. .. .. .. .. | ii. | 733 |
| As fines may be made part of the punishment for offences coming under Section 42 Regulation XIV. of 1827, and a Magistrate is empowered, by Section 13 Regulation XII. of 1827, to award the fines to the injured party, he will experience no difficulty from the fact of the provisions of the Act (XVI. of 1850) not extending to all offences .. .. .. .. .. | iii. | 118 |
| Noticed instance in which the offence of a peon might have been punished by a departmental fine .. .. .. .. .. | iii. | 202 |
| Noticed failure to record the substance of a statement made by a prisoner in his defence, and to quote the regulation under which he was punished .. .. .. .. .. .. .. | iii. | 225 |
| A Session Judge is reminded that punishment for the crime of escape from custody is, by Section 24 Regulation XIV. of 1827, regulated by the limit assigned to the commission of the substantive offence .. .. .. .. .. .. | iii. | 309 |
| The punishment of 'hard labour' cannot be awarded for neglect of duty .. .. .. .. .. .. .. .. | iii. | 533 |
| A prisoner is not liable to punishment for trying to bribe a public officer; for the offer of a bribe is not penal, as declared in the Court's circular order No. 25, of the 9th May 1829 .. .. | iii. | 557–558 |
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| The confession of a prisoner should not be read over to him, and the prisoner be asked if he admit it; but the confession should be proved without asking the prisoner any questions .. .. | v. | 303–304 |
| The regulations do not contemplate a prisoner on his trial being asked by the trying authority any questions but whether he is guilty or not guilty; whether he has any questions to put to the witness; and whether he has anything to urge in his defence. | v. | 303–304 |
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| The evidence for the defence failing, the witnesses should have been examined for the prosecution, as a charge of rape is easily made and extremely difficult to be refuted, and consequently all available evidence should be recorded .. .. .. | iii. | 152 |
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| Razoo bin Peerajee, and two others.—Gross misconduct and neglect of duty in their capacity of native officers of the criminal court. | i. | 657–660 |
| Reading, | | |
| The way to prove an inquest report, or any paper bearing the signature of witnesses, is not by reading it over to them, but by showing them their signatures, and on their recognising these, discovering what the document is.. .. .. .. .. | ii. | 6 |
| The confession of a prisoner should have been set forth in the proceedings, and the record should have shown what depositions were read over to him, and that he confirmed his plea after hearing them .. .. .. .. .. .. .. | iv. | 181 |
| Reason, | | |
| A Session Judge ought to have recorded more fully his reasons for dissenting from the conviction of a prisoner; and it is observed that those he has adduced do not meet the case in any way .. | i. | 105–106 |
| No valid reason for holding a prisoner to security on the expiration of his sentence of imprisonment having been recorded, the order for security is annulled .. .. .. .. .. .. | i. | 557 |

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| A Session Judge was altogether in error in refusing to allow the prosecution to proceed for reasons so inadequate as those recorded .. .. .. .. .. .. .. .. | iv. | 171-173 |
| A Session Judge should have refrained in summing up from any allusions to a prisoner's past offences, whereas he assigns them as one of the reasons for conviction .. .. .. .. | iv. | 588 |
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| A Magistrate, in dissenting from the opinion of a Session Judge, should forward his reasons to that officer, that the latter may consider before resolving to submit them to the Sudder with his own opinion and the proceedings of the case .. .. .. | v. | 9 |
| A Session Judge should have recorded his reasons for recording secondary punishment in a case of cold-blooded and deliberate murder clearly proved .. .. .. .. .. .. | vi. | 167 |
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| Receipt of, or receiving, articles of military dress and accoutrements in pawn, | | |
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| Ditto ditto .. .. .. .. .. .. | vi. | 543-544 |
| Noticed in a case of child-stealing, that the second count, that of receiving a child, knowing or having evident ground for believing it to be stolen, was manifestly improper .. .. | iv. | 29- 32 |
| A prisoner, the sentence upon whom, for child-stealing, the Sudder Court annulled, is remanded to be tried upon the second count, yet undisposed of by the Session Judge, of 'receiving a child, knowing it to be stolen, and so offending against the law of her faith' .. .. .. .. .. .. .. .. | v. | 807-808 |
| Receiving a stolen child is an offence against Hindoo religious law, and in Hindoo law punishable as such .. .. .. | vi. | 544 |
| The Hindoo law officer having declared the offence of 'receiving a child, knowing it to be stolen, and so offending against the law of her faith,' punishable by fine at the Court's discretion, it was not competent in the Session Judge to award a sentence of imprisonment with hard labour for three years, but should have awarded a fine, commutable to imprisonment in default; the case is therefore remanded, that a legal sentence of fine, or in default imprisonment, may be awarded .. .. .. .. .. | vi. | 544 |
| Receipt of, or receiving, stolen property, knowing or having evident ground for suspecting it to be stolen, | | |
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| Receiving stolen property; and escape from custody before sentence, | | |
| Gubareea Jeeawun .. .. .. .. .. .. | i. | 340-345 |
| Strict attention is requested to circular order No. 395, directing, in certain cases, persons to be charged with robbery as well as receipt of stolen goods .. .. .. .. .. .. | i. | 198 |
| The Court concur with the Judicial Commissioner that the charge of receiving stolen property has not been proved against the prisoner, who, had the Police performed their duty, might have been prosecuted for theft or robbery .. .. .. .. | i. | [illegible]5 |
| Mere culpable negligence in exchanging old goods for new cannot be held to amount to the offence of receiving stolen property, knowing or having evident ground for suspecting it to be stolen .. .. .. .. .. .. .. .. | i. | 436 |
| Solitary imprisonment is not prescribed by the regulations as a punishment for receiving stolen property .. .. .. | ii. | 136 |
| Parties cannot be punished for receiving, without the British territories, property stolen from within them .. .. .. | ii. | 259 |
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| Noticed in a case of robbery, and receiving stolen property, the conviction should have been on the first count—that charging the prisoner with robbery .. .. .. .. .. .. | ii | 739 |
| A Police peon, or sepoy, convicted of robbery, and receipt of stolen property, while employed as one of a party to guard the treasury of a Mamlutdar, is by the Sudder sentenced to receive twenty-five stripes, and five years imprisonment with hard labour.. .. .. .. .. .. .. .. .. | iii. | 286 |
| Observed in the case of a prisoner tried for 'receiving stolen property,' that there is nothing to show either that a robbery had been committed, a complaint made, or that the prisoner was aware that certain articles, which he was accused of receiving as stolen property, had been stolen .. .. .. .. | iii. | 293 |
| The Police Patels and Havildars of Mutwar and Kuraree are dismissed from Government service for connivance, at least, in the receipt of stolen property .. .. .. .. .. .. | iv. | 148 |
| Noticed that the finding of the Assistant Magistrate in a trial for receiving stolen property should have been 'guilty of receiving stolen property, knowing or having evident ground for suspecting it to be stolen, or fraudulently withheld from its owner. | iv. | 148 |
| Property lodged in Court as stolen, or suspected property, should not be confiscated, but held in deposit for its owner, who may succeed in establishing a claim to it .. .. .. .. | iv. | 148 |
| Noticed instance in which a secondary offence of escape in which a party was placed, while under trial for receiving stolen property, was visited with a sentence of nine months imprisonment, while for the substantive offence—that of receiving stolen property—three months only were adjudged. The Sudder mitigate the punishment for escape to one day's imprisonment .. .. | v. | 358-359 |

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| The regulations do not punish people for being in possession of stolen property; they only punish them for receiving it .. | v. | 525 |
| An order, calling upon a man to give security in one thousand Rupees, because some cotton found in his godown was suspected to be stolen, is annulled .. .. .. .. .. .. | vi. | 810 |
| Noticed instance in which a prisoner, convicted of receiving stolen property, might have been convicted of the 'robbery' .. .. | vii. | 207 |
| A sentence of solitary imprisonment for 'receiving stolen property' is illegal .. .. .. .. .. .. .. .. | viii. | 573 |
| Flogging in a case of receiving stolen property is remitted, the Deputy Magistrate by whom it was awarded not having the power to award flogging .. .. .. .. .. .. | x. | 248 |
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| Recitation, | | |
| Noticed that the charge should have been recited on conviction .. | x. | 24 |
| Printed circular No. 55 requires that the charge on which a prisoner is arraigned shall be recited on his conviction .. .. | x. | 429 |
| Recognition, | | |
| Documents attested by witnesses should be proved by the recognition of signatures; but the inquest report, and the statement of the deceased Gazee, are not so proved .. .. .. .. | i. | 673-674 |
| The way to prove any paper bearing the signature of witnesses is not by reading it over to them, but by showing them their signatures, and on their recognising them, discovering what the paper is .. .. .. .. .. .. .. .. | ii. | 6 |
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| A recognisance bond, binding the parties to refrain from any illegal acts in general, and not from some specified act (which latter is what the law requires), cannot be upheld, and is therefore annulled .. .. .. .. .. .. .. .. | iii. | 133-136 |
| A zillah Magistrate has the power to mitigate, or annul, the penalty of a recognisance or of a security bond exacted by one of his subordinates .. .. .. .. .. .. .. | iv. | 360 |
| A Mahalkuree is to blame for having placed a prisoner in custody for two days, for whom he might have taken bail, or personal recognisance .. .. .. .. .. .. .. | v. | 641 |
| A security is not released from responsibility the very day that the time for which he is bail expires; a reasonable time must be allowed the Magistrate to ascertain whether, within the last few days for which he was bound, any forfeiture was incurred.. | vi. | 156 |
| A recognisance bond taken from a party, binding him to refrain from visiting the two villages of Kote and Sanund; also from interfering in any affair of, or from mixing himself up in any | | |

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| dispute on the part of the Thakoor; and lastly, requiring of him to behave reasonably, is annulled, the acts forbidden not coming within the category of those which the Magistrate has authority by law to forbid .. .. .. .. .. .. | vii. | 188 |
| Perjury and forgery are not among the offences contemplated by the regulations as rendering a man the object of 'public distrust,' and to refrain from which recognisance or security may be demanded .. .. .. .. .. .. .. | vii. | 285 |
| For the maintenance of peace and good order between two bitter and inveterate enemies, the precautionary measure of taking security from the one and recognisance from the other of them was adopted, but the Sudder annulled the order for recognisance, in that its imposition would preclude the party from prosecuting any just claim against his hostile opponent .. | vii. | 261 |
| Petition, praying that an order of the Magistrate, directing the petitioner to furnish recognisance to the amount of five hundred Rupees, or in default to be imprisoned for one year, may be annulled .. .. .. .. .. .. .. .. | vii. | 259–261 |
| Petition of one Burjood Paishey, praying that an order requiring of him to furnish recognisance and security bonds, might be annulled .. .. .. .. .. .. .. .. | vii. | 442–444 |
| A Magistrate is referred to Clause 3 Section 24 Regulation XII. of 1827, and advised to release a prisoner on his own recognisance to refrain from assault, &c. on a penalty of solitary imprisonment, or imprisonment with hard labour .. .. .. | ix. | 362–363 |
| *See* also "Security." | | |
| **Recommendation,** | | |
| A recommendation to mercy on behalf of a leper is rejected as unwarranted by the circumstances of the case, or of the causes springing from disease .. .. .. .. .. .. | i. | 148 |
| Noticed that neither the finding nor the language of a Session Judge's recommendation of the mitigation of a sentence he himself had passed conveyed a true state of the convict, which subsequent report showed to be so deplorable as to call for the interposition of Government on his behalf .. .. .. | ii. | 403 |
| The recommendation of a Session Judge to mitigate a sentence of death to one of transportation for life in a case of murder cannot be complied with, as the prisoner being an opium-eater is no extenuation of his offence, nor any palliation for the murder of his wife, for a savage assault upon whom he was once before sentenced to one year's imprisonment .. .. .. .. | iii. | 273 |
| A Session Judge's recommendation to mercy should be contained in the letter handing up the case, and not in the proceedings of the case itself .. .. .. .. .. .. .. | iv. | 610 |
| The recommendation to release a prisoner under sentence of imprisonment for life, because infirm and upwards of eighty years of age, is disapproved .. .. .. .. .. .. | v. | 20– 21 |
| The unexpired portion of a sentence of imprisonment is remitted by Government, on the recommendation of the Sudder, the prisoner being a sufferer from black leprosy .. .. .. | vi. | 194–196 |
| *See* also "Prisoner," "Sentence," "Trial." | | |
| **Record,** | | |
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| Attention is called to the Court's order No. 711, of the 27th July 1853, directing the record of the review of cases to be in English .. .. .. .. .. .. .. .. | ii. | 22 |
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| Discharge does not operate as an acquittal until an acquittal has been formally recorded .. .. .. .. .. .. | ii. | 457–458 |
| On recording an additional plea of guilty, care should have been taken that the evidence was read over, and the admissions it contained duly confirmed .. .. .. .. .. .. | ii. | 545 |
| Noticed a Session Judge's omission to record whether the imprisonment in commutation of a fine was with or without labour.. | iii. | 93– 95 |
| A trying authority's finding should be a summary of the evidence against the accused, not a mere record of the finding .. .. | iii. | 114 |
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| hen more prisoners than one are on their trial, the number of each should appear after his name, whenever that is mentioned on the record, and in the letter also handing in the case, if it is one requiring the confirmation of the Government .. .. | iii. | 324 |
| The statements of prisoners should be proved before they are read and recorded against them.. .. .. .. .. .. | iii. | 351 |
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| Remarked a confusion in the record of a case as to the name of the prosecution, which should have been avoided .. .. | iii. | 736 |
| The substance of the prisoner's statements should have been entered on the record .. .. .. .. .. .. | iii. | 784 |
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| The omission to record the having fined a witness for prevarication is very improper .. .. .. .. .. .. .. | iii. | 880 |
| The statement of a female prisoner, as well as the statements of the other prisoners before the Magistrate, should have been recorded for the prosecution .. .. .. .. .. | iv. | 99 |
| The English record of a Session Judge does not show that the prosecution was formally closed .. .. .. .. .. | iv. | 139 |
| The confession of a prisoner should have been set forth in the proceedings; and the record should have shown what depositions were read over to him, and that he confirmed his plea after hearing them .. .. .. .. .. .. .. | iv. | 181 |
| The record should have shown what depositions were read over to the prisoner, and that he confirmed his plea after hearing them .. .. .. .. .. .. .. .. | iv. | 181 |
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| The substance of a 'kurarnama,' or agreement, should have been set forth in the record .. .. .. .. .. .. | iv. | 455–456 |
| A warrant recorded in the proceedings should have been proved.. | iv. | 588 |
| The reason for adjourning a case should always be recorded at the close of each day's proceedings .. .. .. .. .. | iv. | 711 |

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| As a prisoner did not express a wish, as the other prisoners, that his former statement should be recorded, it ought not to have been recorded .. .. .. .. .. .. .. | iv. | 711 |
| A former conviction ought not to be recorded as evidence for the prosecution .. .. .. .. .. .. .. .. | iv. | 853 |
| The regulation under which punishment is awarded should be quoted in the record of the conviction and sentence .. .. | v. | 6 |
| The copy of a warrant, showing the former conviction of a prisoner, should be proved by a competent witness from the 'duftur,' or record office .. .. .. .. .. .. .. | v. | 64 |
| It requires great care, when recording a plea of guilty, to see that the prisoner, admitting the fact, is aware of, and admits, the legal consequences, and that he takes them all upon himself. . .. | v. | 178-179 |
| The number under which the different depositions are recorded in the English proceedings should always be entered for facility of reference.. .. .. .. .. .. .. .. | v. | 198 |
| The extract from a court's proceedings ought not to have been entered, as it was not evidence .. .. .. .. .. | v. | 379 |
| A Magistrate's letter, giving a party pardon, should not have been recorded .. .. .. .. .. .. .. .. | v. | 410 |
| It is unnecessary to record the inquest report when the evidence of the Civil Surgeon, or the Hospital Attendant, either of which would be preferable, is available .. .. .. .. .. | v. | 701 |
| All documents should be proved before they are recorded, and none should be recorded that are not proved .. .. .. | v. | 839 |
| Noticed instance in which, by recording the statement of a prisoner on his admission merely, instead of proving it, a case had to be returned for correction, and the prisoner to be kept confined for three months under a sentence of death, which, until the proceedings were complete, the Court could not affirm .. .. .. .. .. .. .. .. | vi. | 63 |
| Noticed instance in which certain written defences should not have been recorded .. .. .. .. .. .. .. .. | vi. | 13 |
| Noticed the failure of an Assistant to record in English that the prisoner has been asked whether he has any witness to call for his defence before the Sessions Court .. .. .. | vi. | 138 |
| A Session Judge should have recorded his reasons for awarding a secondary punishment in a case of cold-blooded and deliberate murder clearly proved .. .. .. .. .. .. | vi. | 167 |
| Information communicated from the records of the office of the Inam Commissioner, not having served to embarrass the Government or the Revenue Commissioner, should have been punished departmentally, and not have been made the subject of a separate charge .. .. .. .. .. .. .. .. | vi. | 219 |
| It is quite sufficient for an Assistant to record in English the name of a witness, and as much of his deposition as he thinks fit, or as little as he pleases, and not more than is absolutely necessary to elucidate the case .. .. .. .. .. .. | vi. | 346 |
| It is unnecessary, except when passing sentence, to record in detail how it is to be carried out .. .. .. .. .. | vi. | 405 |
| The evidence of a deceased person not having been taken in the prisoner's presence, ought not to have been recorded .. .. | vi. | 441 |
| The form of record which is adapted to a case in which a prisoner pleads 'guilty' is very inappropriate for one in which he pleads 'not guilty.' For a prisoner who pleads 'guilty,' the following form of record is recommended:—The above evidence being read over to the prisoner, she adheres to her plea of guilty; the Session Judge therefore finds the prisoner guilty of * * * * in having, &c. &c., and the Session Judge, having found the prisoner guilty, proceeds, under Clause 4 Section 26 Regulation | | |

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| XIV. of 1827, to pass a sentence upon her, who, &c., and then the sentence of the Court upon the prisoner (Bunoo, wife of Dhondé Bhace) is, &c. &c. .. .. .. .. .. | viii. | 304-305 |
| A Session Judge ought to have mentioned in the proceedings what evidence he read over to the prisoner, and have sent up translations of these papers with the case, or have entered the substance of them in his record .. .. .. .. .. | x. | 106 |
| Explanation of delay in the investigation of a case should appear on the record .. .. .. .. .. .. .. | x. | 716 |
| In a case of felonious embezzlement, the books themselves should have been recorded, and not merely an extract from them made by the complainant.. .. .. .. .. .. .. | x. | 716 |
| *See* also "Account," "Acquittal," "Adjournment," "Age," "Assault," "Books," "Bribery," "Caste," "Charge," "Committal," "Confession," "Conviction," "Defence," "Deposition," "English," "Evidence," "Examination," "Exhibit," "Finding," "Fine," "Guilty," "Robbery," "Guilt," "Inquest," "Inquiry," "Jury," "Magistrate," "Muratha," "Murder," "Name," "Number," "Offence," "Observation," "Perjury," "Prisoner," "Proceedings," "Postponement," "Proof," "Rape," "Reason," "Remarks," "Robbery," "Sentence," "Session Judge," "Statements," "Trial." | | |
| Record Office.--*See* "Duftur," "Record." | | |
| Redress, | | |
| Noticed instance which reflects severely upon our administration of justice, and in which, from the mistakes that have happened and the time that has elapsed, that redress which might have been accorded cannot now be given .. .. .. .. | vii. | 58- 63 |
| A prisoner having failed to appeal, and his sentence having expired, no redress can be given him, but direction to return the fine, should it have been paid .. .. .. .. .. .. | vii. | 549 |
| A petitioner is informed that he was rightly referred to the civil court for redress .. .. .. .. .. .. .. | viii. | 204 |
| A petitioner is referred to the civil court to sue the Magistrate for the loss he has sustained .. .. .. .. .. .. | viii. | 355-356 |
| As in a case of appropriation of property by breach of trust, the complainant did not make the charge until so long a time as five months had elapsed, he should have been referred to the civil court for redress .. .. .. .. .. .. .. | x. | 12 |
| Reference, | | |
| Held, on a reference made to the Sudder Court on a point of law and practice, that the Sudder Court cannot give an opinion on a point not judicially before them .. .. .. .. | i. | 414 |
| When it is thought necessary to refer a case upon a point of law, Clause 2 Section 22 Regulation XIII. of 1827 should be observed, and the Sessions Court, stopping short of sentence, should forward the proceedings in that state for the opinion required .. .. .. .. .. .. .. .. | ii. | 27 |
| Noticed a Sessions Court referring to the Sudder for an opinion on a point of law in a case in which it had already given sentence.. | ii. | 27 |
| The statements of two prisoners not having been recorded, either for the prosecution or for the defence, should not have been referred to when cross-examining the witnesses for the defence.. | ii. | 198 |
| On a reference to the Government, under the provisions of Section 31 Regulation XIII. of 1827, the sentence for death passed on an insane prisoner is, at the recommendation of the Sudder Court, mitigated to imprisonment for life .. .. .. | ii. | 402-403 |
| A petition to Government against the order of Magistrate is by the Government referred to the Sudder Court .. .. .. | ii. | 656-657 |

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| Noticed instance in which a Magistrate should have referred a case of 'forfeiture of security' to the Sudder Court .. .. .. | ii. | 746 |
| Held on the reference of a Session Judge, that as the Court have, on a former reference, decided the point of law, and there is nothing to refer to under the regulation quoted, the case must be returned to the Session Judge to complete, with the Court's further remark that there was no sufficient cause for the reference on this occasion .. .. .. .. .. .. | iii. | 55 |
| A Magistrate is informed that the penalty for the forfeiture of the security bond may be mitigated, but that the case should have been referred for that purpose to the Sudder Court .. | iii. | 116 |
| Reference to the Magistrate on the propriety of his sentence, though frequently made by the Session Judge, is not absolutely required .. .. .. .. .. .. .. .. | iii. | 546 |
| On all occasions of reference to the Sudder with respect to the propriety of the conviction and sentence of a Magistrate, the Session Judge should show whether the Magistrate approves or disapproves, and is authorised to carry out the amendment suggested by the Session Judge .. .. .. .. .. | iv. | 366 |
| Act No. IV. of 1849, under which sentence is passed on an insane prisoner convicted of assault, does not direct any reference to the Sudder; but as cases of this kind have hitherto been forwarded to that court, a letter is written to the Registrar transmitting the papers and proceedings for submission to Government .. .. | iv. | 413 |
| In answer to a reference of the Session Judge, that officer is informed that the Sudder can neither direct nor forbid any further prosecution of the individual referred to, and that the Magistrate must be left to act under his own view of the law .. .. | iv. | 502 |
| Sanctioned, on reference to the Sudder, the enforcement of a penalty involving a longer period of imprisonment than a Magistrate has it in his power to award .. .. .. .. .. | v. | 86 |
| The numbers under which the different depositions are recorded in the English proceedings should always be entered for facility of reference.. .. .. .. .. .. .. .. | v. | 198 |
| Circumstances and things not in evidence in the Court, ought not to have been referred to at all in evidence against the prisoner.. | v. | 475 |
| A reference is made to Government on the preparation and committal of a case of bribery by an officer in the revenue survey.. | v. | 603 |
| A Deputy Magistrate is directed to refer to prisoners by their names, and not merely by their numbers.. .. .. .. | vi. | 823 |
| The copy of an injunction, or of a notice addressed to one particular individual only, need not be referred to the Sudder .. | viii. | 29 |
| A Magistrate's sentence is annulled in a case in which he ought to have referred, but did not make reference, to the Shastree, to whom he is requested to refer the question, and, upon his exposition, pass a legal sentence in the case .. .. .. | viii. | 65 |
| A petitioner is informed that he was rightly referred to the civil courts for redress .. .. .. .. .. .. .. | viii. | 204 |
| The Sudder Court is not merely a court of appeal, but in a measure, as regards referred cases, a court of original jurisdiction also .. .. .. .. .. .. .. | viii. | 486-487 |
| A petition, to refer a case for inquiry to other than the proper authority, is dismissed .. .. .. .. .. | viii. | 617-620 |
| A Session Judge having, prior to submitting for the opinion of the Sudder a case in which he considered the Magistrate to have exceeded his powers, or to have been, in his judgment, faulty, failed to refer it, under Section 3 Regulation VIII. of 1831, to the Magistrate for any remarks that officer might desire to make thereupon, the case is returned to the Session Judge, with a request to rectify his omission in that particular.. .. | ix. | 479 |

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| In reply to a reference of the Government, the Sudder submit that the majority of the Court are of opinion that the prisoner, Vikya bin Ramjee (regarding whose disposal for insanity the Government had been addressed), did cause the death of the deceased .. .. .. .. .. .. .. .. | ix. | 561 |
| As in a case of appropriation of property by breach of trust, the complainant had not preferred the charge until so long a time as five months had elapsed, he should have been referred to the civil court for redress .. .. .. .. .. .. | x. | 12 |
| Held on a reference to the Sudder Court, that until the Acting Session Judge has decided on the appeal then pending before him, the case cannot be brought before the Sudder Foujdaree Adawlut .. .. .. .. .. .. .. .. | x. | 452 |
| The attention of an Assistant Magistrate is called to printed circular No. 251, of the 9th October 1841, directing that corporal punishment be not carried into effect, if circumstances permit, until sufficient time has elapsed for a reference to the Sudder Court .. .. .. .. .. .. .. | x. | 471 |
| A Session Judge not having, as contemplated in Section 3 Regulation VIII. of 1827, when referring to the Sudder Court for opinion in a case in which he considered the Magistrate to have been at fault, the case is remitted, and he directed to proceed according to regulation .. .. .. .. .. .. | ix. | 479 |
| Clause 2 Section 22 Regulation XIII. of 1827 is the only provision which authorises the reference of a case for the opinion of the Sudder, and that law not applying to the case referred by an Acting Session Judge, the papers are returned .. .. .. | x. | 491 |
| Reformation, | | |
| A man who has suffered two years imprisonment for an offence, and been in jail another year for want of security, should be allowed to show whether he has reformed or not .. .. | vi. | 448 |
| Refuse.—*See* "Injunction," "Notice," "Nuisance," "Order," "Proclamation." | | |
| Refusal, | | |
| Refusal to attest a deposition, | | |
| Balajee Yelgoond .. .. .. .. .. .. | iii. | 727–728 |
| A party refusing to sign the confession of a prisoner at the requisition of the District Police Officer, who is empowered to require it, was properly punished with a fine .. .. .. .. | iii. | 728 |
| Refusing to give security, | | |
| Amursing wulud Chutursing .. .. .. .. .. | vi. | 32– 35 |
| Ditto ditto .. .. .. .. .. | vi. | 545 |
| Ditto ditto .. .. .. .. .. | viii. | 323–324 |
| Ditto ditto .. .. .. .. .. | x. | 345–346 |
| A party having, but refusing to adduce before a Deputy Magistrate, statements in defence of his conduct, has himself only to blame for not conforming to the laws .. .. .. .. .. | vi. | 284 |
| Regiment, | | |
| The sentence upon two prisoners, Privates of the Bheel Corps, is mitigated in consideration of their having been dismissed from their regiment .. .. .. .. .. .. .. | iii. | 263 |
| Register, | | |
| Noticed that opposite the word theft, in the register of petitions of a Session Judge, eight months imprisonment, a sentence heavier than the regulations provide for that offence, is entered; and that, if the offence were so designated in the warrant, the Session Judge should have called for the proceedings, and have taken measures to have it corrected .. .. .. .. | i. | 425 |
| A report is requested, stating in whose custody the registered copy of a will was retained until called for by the Moonsiff .. .. | iii. | 375 |

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| The register of petitions submitted to the Sudder Court should show the pleas entered by petitioners when on trial before the magisterial authorities .. .. .. .. .. .. | iii. | 385 |
| Noticed that the plea column in the register of petitions made it appear that the prisoner had pleaded 'guilty' before the Assistant Magistrate, whereas the plea before him, as appears from his original proceedings, was distinctly 'not guilty' .. .. | iii. | 624 |
| Noticed a grave error in the plea column of the register of petitions, wherein the plea is set down as 'guilty,' and a reference to the Assistant Magistrate's proceedings shows it was 'not guilty' .. | iii. | 789 |
| An error in the register of a Session Judge is accounted for as a clerical error in the fair copy, as the entry in the office copy is correct. | iv. | 845 |
| Noticed a discrepancy between an entry in the register of petitions and the explanation of a Session Judge as to the number of lashes to be awarded to a prisoner .. .. .. .. | v. | 508 |
| On the petition of a party who had a copy of a registered bond, the Magistrate ought to have called upon the opposite party to produce the original, and have ascertained whether, as petitioner complained, it was a forgery or not .. .. .. .. | vii. | 64 |
| Employing a fishing-boat without a certificate of registry, Mahadoo bin Gopala .. .. .. .. .. .. | vii. | 340-343 |
| Pointed out, for a Joint Magistrate's information, the true reading of Act XIX. of 1838, which he has mistaken, in inflicting a fine of ten times the amount directed upon a party employing a fishing-boat without a certificate of registry .. .. .. | vii. | 343 |
| The attention of a Session Judge is drawn to a mistake in the register of petitions, in which the crime of a prisoner is described as forfeiture of recognisance bond .. .. .. .. | viii. | 616 |
| Neglecting to register a matchlock in his possession, Khundoo, *alias* Hybutee wulud Oomajee .. .. .. | x. | 244-245 |
| Neglecting to register arms, Buslingapa wulud Eersungapa .. .. .. .. .. | x. | 502-508 |
| Regulation, | | |
| Witnesses should not have been punished for prevarication under a regulation not applicable to the offence .. .. .. | i. | 555 |
| It would be stretching the regulations too far to say that, by attesting documents passed to Government for 'tuckavee,' an Oogrutdar falsified accounts, or that the document was an official account, it was his duty to form, keep, or attest .. | ii. | 308-309 |
| Noticed an error in omitting to quote the regulation when awarding sentence .. .. .. .. .. .. .. | iii. | 105 |
| Noticed failure to quote the regulation under which a prisoner was punished .. .. .. .. .. .. .. | iii. | 225 |
| Attention is directed to the procedure ordered by the regulations when a prisoner pleads guilty .. .. .. .. .. | iii. | 452 |
| The regulations do not authorise the issue of notices enjoining people to have nose-strings affixed to cattle driven on the high roads. | iii. | 524 |
| Government concur with the explanatory remarks of Mr. Fawcett, on the subject of the 'sanklee zamin,' which may, it appears from Mr. LeGeyt's minute, be enforced without deviating from the letter of the regulations .. .. .. .. | iv. | 773 |
| To those members of an inquest report who can read and write, the highest amount of batta sanctioned by the regulations should be given .. .. .. .. .. .. .. | v. | 411 |
| The regulation under which punishment is awarded should be quoted in the record of the conviction and sentence .. .. | v. | 6 |
| The regulations do not contemplate a prisoner on his trial being asked by the trying authority any questions but whether he is guilty or not guilty; whether he has any questions to put to the witness; and whether he has anything to urge in his defence.. | v. | 303-304 |

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| Concealment of culpable homicide is not provided for by the regulations .. .. .. .. .. .. .. .. | v. | 565 |
| The regulations do not punish people for being in possession of stolen property; they only punish people for receiving it .. | v. | 525 |
| The regulations do not require any previous enmity or malice existing to constitute the crime of murder .. .. .. | v. | 566 |
| Infringement of the post office regulations, Rama bin Raghojee, and three others.. .. .. .. | v. | 634–637 |
| Noticed that an offence committed on the 19th was not taken up by the Deputy Magistrate until the 30th, and not without delay, and by such summary process as the regulations will admit of.. | vi. | 169 |
| Aiding and abetting in an attempt to commit murder is a definition of crime unknown to the regulations .. .. .. .. | vi. | 423 |
| No considerations of convenience will justify departure from the procedure laid down in the regulations for the conduct of criminal trials .. .. .. .. .. .. .. .. | vi. | 800 |
| Conspiracy and perjury should be punished under the regulations, and not indirectly by demanding excessive security, and declaring forfeitures .. .. .. .. .. .. .. | vii. | 42 |
| Noticed an Acting Session Judge's recording that the prisoner ought to have been punished under a regulation which he should have known had been repealed .. .. .. .. | viii. | 287 |
| The regulations provide that any person who shall commit or assist in any unlawful act, the perpetration of which is accompanied with the death of a human being, shall be liable to the punishment of murder .. .. .. .. .. .. | viii. | 706 |
| Native names are to be spelt in the way in which they are spelt in the regulations .. .. .. .. .. .. .. | x. | 266 |
| Rehba, widow of Unoop Merjee, and three others.—Conspiracy .. | v. | 439–444 |
| Rehmutboo, daughter of Bhikajee, and another.—Robbery, without force, by day .. .. .. .. .. .. .. | iii. | 384–385 |
| Rejection.—*See* "Appeal," "Confession," "Evidence," "Petitioner." | | |
| Relation, Relative, | | |
| Noticed in a trial for culpable homicide, that the Session Judge should have made particular inquiry into the character and conduct of the prisoner, considering that the evidence for the prosecution was mainly confined to the relations of the deceased .. .. .. .. .. .. .. .. | i. | 103 |
| Solicited order to the Session Judge to allow certain prisoners (his relations) to petition the Court, the Judge having refused to do so .. .. .. .. .. .. .. .. | vi. | 782–783 |
| Important points of evidence should never be left to be proved by the evidence of the prisoner's relations .. .. .. .. | vii. | 241 |
| Release, | | |
| The release, on the requisition of the Session Judge, of prisoners sentenced by a Magistrate, was illegal .. .. .. .. | ii. | 604 |
| A Magistrate has no power by law to alter his own sentence, nor the Session Judge, as receiving officer, to annul it and order the release by the Magistrate of prisoners sentenced by that functionary .. .. .. .. .. .. .. .. | ii. | 604 |
| Flogging is not to be inflicted on a prisoner just before release from jail, but some other period should be fixed for its infliction .. .. .. .. .. .. .. .. .. | iii. | 83 |
| Noticed misconduct of a Police officer in taking a bribe to release a prisoner .. .. .. .. .. .. .. .. | iii. | 662–666 |
| The release of a convict suffering from *lupus exedens* is ordered by the Government .. .. .. .. .. .. .. | iii. | 859–862 |
| The recommendation to release a prisoner under sentence of imprisonment for life, because infirm and upwards of eighty years of age, is disapproved .. .. .. .. .. | v. | 20– 21 |

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| A security is not released from responsibility the very day that the time for which he is bail expires; a reasonable time must be allowed the Magistrate to ascertain whether, within the last few days for which he was bound, any forfeiture was incurred .. | vi. | 156 |
| A Magistrate having failed to give reasons for the imprisonment of three persons, their release is ordered.. .. .. .. | vi. | 484 |
| A prisoner is to be at once released, he having already been imprisoned for one year, for having, on the Magistrate's own showing, prevaricated as to his residence .. .. .. | vi. | 488 |
| A man having been imprisoned for want of security and released, cannot thereafter be expelled .. .. .. .. .. | vi. | 885 |
| *See* also "Custody," "Magistrate," "Prisoner," "Sentence," "Session Judge," "Trial." | | |
| Reliance, | | |
| The evidence of the facts of a robbery should have been taken and recorded, instead of reliance being placed wholly upon that of the confessions and their attestors .. .. .. .. | iv. | 786 |
| Religion, | | |
| For the word 'religion' an Assistant Magistrate improperly substitutes 'denomination,' as, for 'Christian religion,' he makes use of the term 'denomination Christian' .. .. .. .. | ii. | 9 |
| The name, age, sect, religion, and profession of a witness should, as specified in Clause 1 Section 36 Regulation XIII. of 1827, be ascertained, and entered after the witness has been put on solemn affirmation.. .. .. .. .. .. .. | iii. | 129 |
| Religious faith, or law.—*See* "Breach of Religious Law." | | |
| Religious festivals, meetings for worship, or religious processions.—*See* "Injunction," "Notice," "Order," "Proclamation." | | |
| Remand, | | |
| For prisoner, or cases, remanded to be tried, &c., *see* "Magistrate," "Prisoner," "Proceedings," "Session Judge," "Trial," "Witness." | | |
| Remarks.—*See* "Magistrate," Prisoner," "Proceedings," "Sentence," "Session Judge," "Sudder," "Trial," "Witness." | | |
| Remission.—*See* "Corporal Punishment," "Fine," "Imprisonment," "Recognisance," "Security Bond," "Sentence," "Solitary Confinement," "Punishment," "Penalty." | | |
| Remissness, | | |
| Noticed on a trial for murder, the remissness of the Foujdar in not examining the body of the deceased.. .. .. .. | i. | 469-475 |
| Noticed the remissness of a Police peon while on guard at the house of a woman accused of murder .. .. .. .. | iv. | 867 |
| *See* also "Misconduct," "Neglect." | | |
| Removing pregnancy by abortion.—*See* "Abortion." | | |
| Removing salt in excess of a pass-note.—*See* "Breach of Customs and Excise." | | |
| Renko wulud Goona, and another.—Robbery, without force, by day .. | ii. | 245-246 |
| Reojee wulud Jorawar.—Murder .. .. .. .. .. .. | ix. | 24- 29 |
| Reparation, | | |
| Noticed instance in which a more lenient sentence might have been passed upon prisoners who showed themselves anxious to make such reparation as would satisfy the prosecutor for their breach of trust .. .. .. .. .. .. .. | ii. | 30 |
| Report, | | |
| A Magistrate is called upon to make inquiry and report as to the alleged ill-treatment of certain accused persons.. .. .. | i. | 24 |
| Noticed a Koolkurnee having written, and a Police Patel having signed, a false report to the Police Amuldar of Mundroop, on the subject of a boat .. .. .. .. .. .. | i. | 108 |

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| Requested from a Session Judge report as to what he has done in regard to the recorded supineness of a Moonsiff .. .. | i. | 327 |
| A Magistrate is requested to examine and report on evidence omitted to be taken by the Session Judge .. .. .. .. | i. | 521 |
| It is as unnecessary to mention, as it is unnecessary to enter into an inquest report, how an inquest arrived at their opinion .. | ii. | 7 |
| Noticed the discrepancy between the report of the Session Judge, and the statement of a witness relative to the same subject .. | ii. | 407 |
| A Session Judge is requested to report why prisoners committed in March were not received at the Sessions Court until the month of June .. .. .. .. .. .. .. | iii. | 200 |
| Noticed that the report and the proceedings of a Magistrate do not show that a party fined for contempt of court, under the provisions of Act XXX. of 1841, made himself amenable to the penalties of that Act .. .. .. .. .. .. | iii. | 340 |
| Inquiry and report are requested as to the practice of the Nazir's department in taking copies of wills, and in whose custody the registered copy of a will was retained until called for by the Moonsiff .. .. .. .. .. .. .. .. | iii. | 375 |
| The report of a jury of matrons in a case of 'attempt at rape' ought not to have been recorded without being proved .. | iv. | 194 |
| Noticed a Police Patel's culpable neglect, and refusal to write any report to the District Police Officer of the injuries received by a woman .. .. .. .. .. .. .. | iv. | 328–329 |
| A Magistrate is requested to report how the monthly return shows that the prisoner was apprehended on the 1st November, while the proceedings show that he was apprehended on the 14th October .. .. .. .. .. .. .. | v. | 353 |
| The report of a District Police Officer ought not to be recorded in the proceedings of a case, it not being evidence .. .. | v. | 409–411 |
| Session Judges might save themselves and their establishments trouble if, in handing up petitions from convicts, they were to mention in a report on them that these were the misrepresentations, mis-statements, or contradictions, and the Court might then not think it necessary to call for the proceedings in the case .. .. .. .. .. .. .. .. .. | vi. | 83– 84 |
| A Magistrate is informed that his report in English should have been made in return to the Court's precept. The return and report should not be separate documents .. .. .. | vii. | 444 |
| Returns to reports on precepts are to be made on the precepts, not on a separate piece of paper .. .. .. .. .. | vii. | 499 |
| The death of a convict should have been, but was not, immediately reported by the Nazir .. .. .. .. .. .. | vii. | 557 |
| A report is requested from the Magistrate as to the effect caused by prohibiting the practice, at a certain festival, of the 'churkh-pooja,' or swinging by a hook .. .. .. .. .. | vii. | 666–667 |
| A prisoner having presented on his defence an order under the seal and signature apparently of the Mamlutdar, the order is referred to the Magistrate, and he directed to report upon it as bearing upon the present case .. .. .. .. .. .. | viii. | 750 |
| Noticed the misconduct of a Police Patel, in not reporting the death of a woman to the District Police Officer, and allowing her property to be expended .. .. .. .. .. .. | ix. | 100–106 |
| Omitting to report to the proper authorities the resort to their village of persons against whom there was a reasonable suspicion of their being guilty of mutiny or desertion, Buya, widow of Bhagojee, and four others .. .. .. | ix. | 240–249 |
| Gross neglect of duty as Police officers, in knowingly giving a false report of a deceased woman who had been maltreated and purposely mutilated .. .. .. .. .. .. .. | ix. | 327–335 |

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| Noticed instance in which a Session Judge might have sent a report, instead of his proceedings on a case of murder .. .. | ix. | 404 |
| Ditto ditto ditto ditto .. | ix. | 407 |
| Ditto ditto ditto ditto .. | ix. | 410 |
| A Session Judge should have reported that a petitioner only reiterated in his petition what he had already in the defence set up in Court, and that he had failed to establish it .. .. | ix. | 412–113 |
| An Acting Magistrate is informed, that when a report is required, he should not send up the proceedings .. .. .. .. | ix. | 458–465 |
| A report, and not the proceedings, of a case should have been sent up, as called for .. .. .. .. .. .. .. | x. | 709 |
| Representation, | | |
| The person who made the plan of the scene of murder should have been examined to prove that it was a true representation of the several spots to which the witnesses had referred in their depositions .. .. .. .. .. .. .. .. | ii. | 7 |
| The English record of a trial should correctly represent all that passes at the trial .. .. .. .. .. .. .. | iii. | 212 |
| Representative, | | |
| Noticed neglect of the representatives of the village of Waghoondy in detecting and apprehending some robbers .. .. .. | iii. | 273–275 |
| Reprimand, | | |
| The Court cancel the reprimand administered by the Session Judge to the Deputy Magistrate (Mr. Nana Morojee), to whose commitment no exception ought to have been taken .. .. | iv. | 173 |
| Repudiation, | | |
| Confessions taken in the Belgaum division have been so frequently repudiated, and the present are so open to suspicion, that an inquiry seems imperatively called for .. .. .. .. | i. | 25 |
| Reputation, | | |
| A complainant's word alone is not sufficient to warrant the conclusion that whom he accuses is a person of bad reputation .. | i. | 292 |
| An order demanding security from a prisoner, on the ground merely of his appearing to be a man of bad repute, is annulled, no evidence being adduced to show that he is really what he is said to be—an object of distrust .. .. .. .. .. .. | i. | 376 |
| The mere assertion of a Police Patel, or Amuldar, that a prisoner is a thief, vagabond, or man of bad repute, does not constitute sufficient ground for demanding security from a prisoner .. | i. | 389 |
| Reviewed and condemned the insufficient evidence upon which a Deputy Magistrate is led to commit a person as of bad repute .. | vi. | 319 |
| Request, | | |
| A Magistrate having assigned no reason why a prisoner should be detained, the Court cannot comply with his request .. .. | viii. | 359 |
| Rescind, | | |
| The instructions contained in the circular letter No. 98, of the 9th January 1852, are rescinded .. .. .. .. .. | iii. | 521 |
| Reservation, | | |
| The schedule of a pauper must contain, without reservation of any kind whatsoever, a list of everything he is possessed of .. *See* also "Pauper." | v. | 383 |
| Reservoir.—*See* "Injunction," "Notice," "Order," "Proclamation," in regard to the water in reservoirs, rivers, tanks, and wells. | | |
| Residence.—*See* "Resident." | | |
| Resident, | | |
| A Magistrate has no power to prohibit, even at the requisition of the Superintendent of Police, a native resident of the city of Poona, from going within the camp limits of that city, nor to take security from him to that effect .. .. .. .. | v. | 51 |

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| A prisoner is to be at once released, he having been already imprisoned for one year, for having, on the Magistrate's showing, prevaricated as to his residence .. .. .. .. .. | vi. | 488 |
| Resistance to legal orders, Hurchund wulud Jeewun .. .. .. .. .. | iv. | 296–298 |
| Resistance to legal process.—*See* "Process." | | |
| Resolution, Recorded a resolution on the Magistrate of Ahmedabad, a report on whose conduct is to be sent to Government .. .. .. | vi. | 661 |
| The able finding of Mr. C. Walter in the case of Juggeevun Nursee, is to be laid before Government, with reference to the Government resolution at page 372 of Morris's reports for March 1857. | x. | 639 |
| Resort, Five persons are arraigned for omitting to report to the proper authorities the resort to their village of persons against whom there was reasonable suspicion of their being guilty of mutiny or desertion .. .. .. .. .. .. .. | ix. | 240–249 |
| *See* also "Injunction," "Notice," "Order," "Proclamation." | | |
| Responsibility, Admitting men as approvers ought to free them from responsibility for foregone offences .. .. .. .. .. | ii. | 525 |
| Village responsibility in Guzerat for stolen property, Dadabhoy Rewadas .. .. .. .. .. .. | iv. | 765–773 |
| A security is not released from responsibility the very day that the time for which he is bail expires; a reasonable time must be allowed the Magistrate to ascertain whether, within the last few days for which he was bound, any forfeiture was incurred .. | vi. | 156 |
| A Superintendent of Police, being responsible for the way in which his orders are executed, is enjoined to be careful that his peons fully understand and do not exceed them .. .. .. | vi. | 151 |
| A robbery occurring at Ankurroo, the Magistrate calls upon the securities of that village to make good the loss; but from this the Court decides them exempt, the period having passed for which these parties stood security .. .. .. .. | vi. | 156 |
| If a Session Judge were not prepared to take the responsibility upon himself of not inflicting it, he should have carried out a sentence of corporal punishment on the very day it was awarded .. .. .. .. .. .. .. .. | vi. | 832 |
| Restoration, A revenue officer, whose conviction and sentence for 'making undue exactions' the Court annulled, is informed that the Court can give no order in regard to his restoration to office .. .. | ii. | 557 |
| Noticed instance in which, had the circular order No. 440 been observed, there would have been no difficulty in carrying out the order of the Court for the restoration of a fine .. .. | iii. | 546–547 |
| Restoration of property produced in evidence, Yelojee bin Gopaljee .. .. .. .. .. .. | v. | 846–848 |
| Ditto ditto .. .. .. .. .. .. | vi. | 151–152 |
| Ditto ditto .. .. .. .. .. .. | vi. | 231–233 |
| A person having been acquitted of the charge preferred against him, no delay ought to have taken place in giving him possession of the property found in his house, and which was suspected, but not proved, to be stolen .. .. .. .. .. | v. | 848 |
| A Magistrate was distinctly told that property, in the absence of any one proving a better claim to it, belongs, of course, to the person in whose possession it was found; yet, by giving it, or a part of it, to him whom the Magistrate thought the lawful proprietor of it, he has complicated the case, and rendered himself and the other party liable to be sued for its restoration .. | vii. | 735 |

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| Property, against the dispossession of which all diligence was made in appeal, should not have been made over to the opposite party; from whom, the decision having been reversed, restitution of the property, or of its value, must be obtained.. .. | viii. | 119-124 |
| Restoration of property, | | |
| Naga wulud Kondajee Talee .. .. .. .. .. | viii. | 202-204 |
| Restitution.—*See* "Restoration." | | |
| Restraint, | | |
| Where no restraint is broken, escape from custody cannot be held to be committed .. .. .. .. .. .. .. | vi. | 9 |
| Ditto ditto ditto ditto .. | vi. | 80 |
| Restriction, | | |
| The restrictive order of a Magistrate, directing, under threat of punishment for default, a discharged prisoner to sleep every night in the 'chowree' of his village, is annulled, as unreasonably affecting the personal liberty of a prisoner who is represented in the return as being a householder .. .. .. .. | iii. | 119 |
| Result, | | |
| The acquittal of a prisoner charged with conspiracy will, it is feared, prevent the proceedings being re-opened, and give rise to false impressions, and occasion untoward results .. .. | iv. | 3 |
| Retail, | | |
| Wholesale dealers convicted of, and sentenced for, using false weights in purchasing tobacco, are acquitted by the Sudder, Section 22 Regulation XIV. of 1827, under which they were tried, applying to persons professing to deal in retail—not to purchasers, but to sellers .. .. .. .. .. .. .. .. | iii. | 471 |
| Retracted Confessions, | | |
| Retracted confessions are insufficient to justify conviction, particularly as the confessions were made on the 18th February, and were not sent to the Deputy Magistrate until the 2nd April .. | ii. | 434 |
| The substance of retracted confessions should be entered in the English record .. .. .. .. .. .. .. | iii. | 717 |
| A retracted confession voluntarily given is evidence for the prosecution, and should not have been recorded for the defence .. | iv. | 225 |
| When a prisoner retracts his confession, the Court must have more evidence for conviction than mere proof that the prisoner told the story which corroborates his confession .. .. .. | vi. | 63 |
| Ditto ditto ditto ditto .. | vi. | 75 |
| The conviction of the prisoner for perjury will not stand. He corrected what he had stated falsely the same day; but his original statement, and his retraction, are both separately charged as perjuries .. .. .. .. .. .. .. .. | vi. | 316 |
| A retracted confession is not alone sufficient for conviction .. | vii. | 654 |
| *See* also "Confession." | | |
| Returns, | | |
| A party charged with obstruction to justice having committed, and been summarily fined for contempt of court, such a case is not a criminal case disposed of, nor one to be entered in the criminal returns .. .. .. .. .. .. .. | ii. | 20 |
| An order directing a discharged prisoner to sleep every night at the 'chowree' of his village is annulled, as unreasonably affecting the personal liberty of a prisoner who is represented in the return as being a householder .. .. .. .. .. | iii. | 119 |
| Noticed a Session Judge's omission to show in his proceedings what sentence was passed on a prisoner who, in the Session Judge's return, is found to have been sentenced to one month's imprisonment with hard labour .. .. .. .. .. | iv. | 804 |

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| A Magistrate is requested to report how the monthly return shows that the prisoner was apprehended on the 1st November, while the proceedings show he was apprehended on the 14th October .. .. .. .. .. .. .. .. .. | v. | 353 |
| A Magistrate is informed that his report in English should have been made in return to the Court's precept; the return and report should not be separate documents .. .. .. .. | vii. | 444 |
| A Magistrate is requested to make his return on the precepts, and not on a separate piece of paper .. .. .. .. .. | vii. | 499 |
| A Magistrate should be more careful in the preparation of his monthly returns; an entry in which drew attention, and the unnecessary call for certain proceedings .. .. .. .. | viii. | 268 |
| Return, or returning, from expulsion.—*See* "Expulsion." | | |
| Returning from transportation without pardon .. .. .. .. .. | x. | 664-665 |
| Returning a warrant on the death of a convict .. .. .. .. | vii. | 556-557 |
| Revenge, | | |
| The fine in a case of perjury is remitted, as the sentence is otherwise sufficiently heavy, and the fine, in this instance, falls on no other than the prisoner, who lucre and revenge alone instigated to commit the crime .. .. .. .. .. .. | x. | 66 |
| Revenue, | | |
| Act XI. of 1843 should not be applied to such offences as 'neglect of duty in the Police,' but should be reserved for matters in which the interests of the revenue are affected .. .. .. | i. | 46 |
| Making undue exactions as revenue officers, | | |
| Bhowram Chunder Aptey .. .. .. .. .. | i. | 307-310 |
| Goondoo Bhowan .. .. .. .. .. .. | ii. | 54- 61 |
| It would be stretching the regulations too far to say that, by attesting documents passed to Government for the advance of "tukavee," an Oogrutdar, or revenue Patel, falsified revenue records; or that the bond being an official account, it was his duty to form, keep, or attest .. .. .. .. .. | ii. | 308-309 |
| Neglect of duty in two Foujdars of Adwuree not sending a proper guard to take charge of Government revenue .. .. | ii. | 425 |
| Undue exactions under power of his authority as a revenue officer, | | |
| Mhyput Jeyshunker .. .. .. .. .. .. | ii. | 552-557 |
| A revenue officer, whose conviction and sentence for making undue exactions was by the Sudder Court annulled, is informed that the Court can give no order in regard to his restoration to office .. .. .. .. .. .. .. .. .. | ii. | 557 |
| A party charged with receiving a present as a Native revenue officer, could only deny his guilt, and appeal to very long service, which, in such a case, should have been inquired into through the Mamlutdar, without whose evidence, indeed, the exhibits in the case ought not to have been recorded .. .. .. .. | iii. | 493 |
| The sentence of a prisoner for a fresh charge connected with former frauds is mitigated, he having been sufficiently punished for frauds committed as a revenue officer under his former sentence of three years imprisonment and a fine .. .. .. | iii. | 618 |
| Undue exactions of revenue, | | |
| Gopal Ramchunder, and four others .. .. .. .. | iv. | 719-721 |
| Appropriation of Government revenue, | | |
| Jugunath Bapoojee, and others.. .. .. .. .. | v. | 1- 10 |
| Patels charged with the appropriation of Government revenue should have been indicted under Act XIII. of 1850, which has modified the provisions of Section 2 Regulation XVI. of 1827, and Regulation V. of 1833 .. .. .. .. .. | v. | 5- 9 |
| The conviction, under Regulation XV. of 1831, of four Patels charged with appropriation of Government revenue is annulled, that regulation not applying to their offence .. .. .. | v. | 5- 9 |

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| Reference is made to Government on the preparation and committal of a case of bribery by an officer in the revenue survey.. *See* also " Revenue Survey." | v. | 603 |
| A village goldsmith, though it may be his duty to examine rupees brought in payment of the revenue, cannot be considered an officer either on the regular establishment of the Collector, or employed in the settlement and management of the revenue. He cannot therefore be tried for fraud as a village officer, under Chapter 2 Regulation XVI. of 1827, nor under the provisions of Section 3 Regulation V. of 1833 .. .. .. .. | vi. | 183 |
| A Joint Magistrate is informed that, if the powers vested in a Sub-Collector by law be not sufficient to secure the revenue, he should apply to the legislature to have those powers extended. | vi. | 188 |
| Revenue survey officers having power, under Act III. of 1846, to erect boundary-marks on the occupiers of land refusing or neglecting to do so, and to recover the expenses as revenue demands, should not, on the ground of emergency or despatch, force the labourers of a village to perform this work .. .. | vii. | 144 |
| Having been concerned in a money transaction with the ryots of his village, he being a revenue officer, | | |
| Ramchunder Venaik .. .. .. .. .. .. | vii. | 339–340 |
| Fraud, for the purpose of injuring the customs revenue; and breach of trust, | | |
| Dhondo Jugunnath .. .. .. .. .. .. | viii. | 280–288 |
| Interference with possession given by a revenue officer, | | |
| Seevajeerow bin Narayenrow Khanvilkur .. .. .. | viii. | 293–295 |
| Fraudulent appropriation of village revenues by the village Mookhee. | x. | 117–119 |
| The conviction and sentence passed on a village Mookhee accused of appropriating public revenue are annulled, the collection made not being public money .. .. .. .. | x. | 119 |
| Undue exactions by a revenue officer, | | |
| Chundoo Venaik, *alias* Bhaoo, and three others .. .. | x. | 373–378 |
| The punishment for the offence of undue exaction is imprisonment, and fine not exceeding ten times the amount of the undue exaction .. .. .. .. .. .. .. .. | x. | 378 |
| The sentence passed upon a prisoner for undue exaction having omitted fine, is annulled, and the Magistrate directed to pass a sentence conformable with the requirements of the regulation.. | x. | 378 |
| Levying undue exactions by the exercise of their authority as revenue officers, | | |
| Balajee Bapoo, and two others.. .. .. .. .. | x. | 746–750 |
| *See* also " Crimes, Miscellaneous," " Bribery," " Embezzlement," " Fraud," " Breach of Customs and Excise." | | |
| Revenue Commissioner, | | |
| The carelessness and inattention of a Mamlutdar and First or Head, Karkoon are brought to the notice of the Revenue Commissioner. | iv. | 854 |
| A party who had, in a petition to the Revenue Commissioner, threatened that, in the event of his prayer not being complied with, he would commit a breach of the peace, attended with bloodshed, should, as his character was bad, have been proceeded against under Section 35 Regulation XIV. of 1827 .. | viii. | 1– 2 |
| Revenue Survey, | | |
| The preparation and committal of a case of bribery by an officer of the revenue survey could never have been contemplated by the Government, to whom the measure will accordingly be referred. | v. | 603 |
| Revenue survey officers having power, under Act III. of 1846, to erect boundary-marks on the occupiers of land neglecting or refusing to do so, and to recover the expenses as revenue demands, should not, on the ground of emergency or despatch, force the labourers of villages to perform this work .. .. .. | vii. | 144–145 |

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| The Court were not aware, until this case came before them, that the system of enforced labour prevailed in the Guzerat revenue survey, and its existence in that survey will therefore be reported to Government, in order that measures may be taken to legalise or prevent it .. .. .. .. .. .. .. | vii. | 144-145 |
| Reversal, | | |
| A Magistrate having, on the reversal of a fine he had imposed, informed the Sudder that a portion of the fine had been paid to, and could not be recovered from, the complainant, who had died, is reminded that, had the precaution enjoined by circular order No. 440 been observed, there would not have been any difficulty in carrying out the order of the Court .. .. .. .. | iii. | 546-547 |
| Property, against the dispossession of which all diligence was made in appeal, should not have been made over to the opposite party; from whom, the decision having been reversed, restitution of the property in question, or of its value, must be obtained .. | viii. | 119-124 |
| *See* also "Reversal of Fines," "Judgment," "Order," "Sentence." | | |
| Review, | | |
| Magistrates are requested to keep English proceedings of the reviews of cases decided by the Deputy Magistrates who are ignorant of English .. .. .. .. .. .. | i. | 91 |
| The postponement of a trial for twenty-two days by a Session Judge, in order that he might consider his finding and review the evidence, was exceedingly objectionable .. .. .. | i. | 443 |
| When a Session Judge sees cause to send for a case from the Magistrate's department, he ought to take it up at his earliest convenience.. .. .. .. .. .. .. .. | i. | 505 |
| Attention is called to the Court's order No. 711, of the 27th July 1853, directing the record of review of cases to be in English .. | ii. | 22 |
| Hearsay is worse than useless to assist in the review of a trial .. | ii. | 268 |
| Section 3 Regulation IV. of 1830 provides that all sentences of the Assistant Magistrates are open to the revision of the Magistrates, who may pass such final order on them as they deem consistent with justice .. .. .. .. .. .. | ii. | 448 |
| For the procedure to be adopted by the Sessions Court when reviewing a conviction in the magisterial department, *see* vol. ii., pages 599—604, of Morris's reports .. .. .. .. | iii. | 546 |
| 'Distress' should not have been enforced before the Sudder Court reviewed the trial, as the cases of all the prisoners were subject to review, though the sentences of all did not require the confirmation of the Sudder .. .. .. .. .. .. | iii. | 594 |
| An Acting Magistrate is fully competent to annul a Deputy Magistrate's conviction, and to order the proceedings to be taken afresh .. .. .. .. .. .. .. .. | iv. | 531 |
| On counsel moving to be heard in favour of a prisoner, the Court held that the course was needless, as, on a review of the proceedings, they had come to the conclusion that the evidence was insufficient to warrant the verdict found against the prisoner .. | iv. | 681 |
| Review of a case by the Session Judge, Anajee Vitul .. .. .. .. .. .. .. | vi. | 239 |
| The law does not require that a petition for review should be accompanied by a copy of the decree .. .. .. .. | vii. | 436 |
| A proceeding is not necessarily correct because the reviewing Judges did not notice it .. .. .. .. .. .. | ix. | 384 |
| Rewa Kanta, | | |
| Certain British subjects having been tried and sentenced in the Rewa Kanta for forgery committed within British territory, but uttered in the Rewa Kanta state, the trial and sentence are by Government, at the recommendation of the Sudder Court, | | |

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| annulled, and directions given to have the prisoners tried by the Magistrate of Kaira and Session Judge of Ahmedabad, before whom the Dufturdar of the Rewa Kanta state can be invited, through the Political Agent, to attend to conduct the prosecution .. .. .. .. .. .. .. .. | vii. | 371–373 |
| Reward, | | |
| The conduct of three witnesses being deserving of special notice, the Sudder Court direct that they receive each a reward of twenty Rupees, under Section 33 Regulation XII. of 1827 .. | iii. | 324 |
| In acknowledgment of the fidelity with which two persons discharged their duty in pursuing a party of four robbers, by whom both were severely wounded, and one to death, the Court, under Clause 3 Section 33 Regulation XII. of 1827, adjudge fifty Rupees to the family of the deceased, and thirty to the individual who has survived, to be increased to fifty if the Civil Surgeon can certify to the permanent injury to his arm .. | iii. | 400–406 |
| Government reward two Police Patels with fifty Rupees each, for their praiseworthy conduct in a case of gang robbery .. .. | iii. | 773 |
| A Magistrate should always inform the Sessions Court when he had rewarded a witness, and the Session Judge should record the information.. .. .. .. .. .. .. .. | iv. | 29 |
| A reward of fifty Rupees is adjudged to the family of a Policeman who died from the injuries he received in endeavouring to apprehend a prisoner .. .. .. .. .. .. | iv. | 601 |
| A reward offered for the mere apprehension of a person the Magistrate should disburse ; whereas that offered for apprehension and conviction, the Sessons Judge would, on the fulfilment of the terms, adjudge .. .. .. .. .. .. | v. | 326 |
| A reward of fifty Rupees, under Clause 3 Section 33 Regulation XII. of 1827, is awarded to two persons, who, unarmed, arrested, at the imminent risk of their own lives, an armed murderer .. | v. | 519 |
| A reward of fifty Rupees is, under Clause 3 Section 33 Regulation XII. of 1827, to be given to a Sowar for activity and intelligence in apprehending a robber .. .. .. .. .. .. | vi. | 520 |
| Government, agreeing with the Commissioner of Police, direct the immediate release of a Policeman, who merited reward rather than punishment, and, at all events, is not to be deprived of his pay for the period he has been confined .. .. .. .. | viii. | 16 |
| The Court direct a Session Judge, under Clause 3 Section 33 Regulation XII. of 1827, to give a reward of fifty Rupees to a witness for his very spirited conduct and perilous exertions in apprehending a prisoner convicted of attempt to commit murder.. | ix. | 457 |
| A Mookhee (Patel) and a villager are rewarded each with twenty Rupees for their exertions in apprehending a prisoner .. .. | x. | 423 |
| The provisions of Section 38 Regulation XII. of 1827 are put in force against, and a reward of rupees fifty offered for, the apprehension and conviction, respectively, of the Police Patel of Humjee and another party, who, both charged with murder, have absconded .. .. .. .. .. .. .. | x. | 472–474 |
| Rice, | | |
| A notification, enjoining people to make their rice-cleaning machines similar to those recently constructed in a jail, is disapproved .. .. .. .. .. .. .. | ii. | 452–453 |
| *See* also "Notice." | | |
| Riding, | | |
| A notice of the Magistrate of Dharwar, cautioning the people of that town against riding violently in places of public resort, was by the Sudder disapproved, that court considering the Magistrate had not shown sufficient grounds for the necessity of issuing such a proclamation .. .. .. .. .. | iv. | 626. |

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| The order of a Magistrate, prohibiting horses and bullocks being ridden, or driven, adorned with bells, is disapproved .. .. | vii. | 772–773 |
| *See* also " Injunction," " Notice," " Order," " Proclamation." | | |
| Riot, | | |
| Mohummud Puna Raheemoolla, and forty others .. .. | viii. | 407–488 |
| And breach of the peace, | | |
| Hurgowun Purbhoodass, and others .. .. .. .. | i. | 621–630 |
| Aliba wulud Sudkojee, and twenty-three others .. .. | iii. | 9– 15 |
| Bhagojee wulud Beij Naik, and sixteen others .. .. | v. | 238–242 |
| Mahadeorow wulud Sumbhajee, and fifteen others .. .. | v. | 371–377 |
| Breach of the peace; and forfeiture of security bond, | | |
| Abdoo Gunee wulud Mahomed Kaseim Pansure, *alias* Meea Pansure .. .. .. .. .. .. .. | v. | 304–308 |
| Noticed the unsatisfactory evidence on a trial for riot, the witnesses being all of one party, and their depositions full of discrepancies .. .. .. .. .. .. .. | v. | 242 |
| The unjustifiable seizure and carrying off of money by a Police officer, on mere and unwarrantable suspicion of its being stolen, was the exciting cause of a riot and breach of the peace .. | v. | 242 |
| The sentence passed upon fifty-seven prisoners convicted of riot and breach of the peace was, though not considered too severe, mitigated by the Government, who considered that the general pardon recommended by the Sudder to all but the ringleaders would be liable to misapprehension .. .. .. .. | v. | 376–377 |
| The Court do not think that, in cases of riot, attended with murder and gang robbery, the prisoners should be tried on three separate charges :—1*st*, riot; 2*nd*, murder; 3*rd*, gang robbery; but that the charge should be 'riot; gang robbery; and murder,' in having all assembled for riotous purposes, when some of them (who should be specified) committed the gang robbery, and they, or others of the rioters, committed the murder, the gang robbery and murder being so specifically laid down as if they were the only charges; by that means the necessity for taking the same evidence in two or three cases would be avoided .. .. .. .. .. .. .. .. | viii. | 466–467 |
| River, | | |
| Proclamation by the Magistrate of Nassick, enjoining people not to wash clothes, steep flax in, or in any way dirty, the water of the river near Pimpulgaum Buswunt .. .. .. .. | iv. | 922–923 |
| Notice by the Magistrate of Rutnagherry, prohibiting noxious plants or articles being put into the water to poison fish .. | vi. | 75 |
| *See* also " Notice." | | |
| Notice by the Magistrate of Tanna, prohibiting people from bathing, washing animals, clothes, &c. in, or in any way dirtying, the water of the river Vindhney, divided by a masonry dam .. | vi. | 386 |
| Notice by the Magistrate of Surat, prohibiting boats, &c. from anchoring in, or dragging anchor along, the bottom of that part of the Taptee river where the electric cable is laid .. .. | x. | 584 |
| *See* also " Injunction," " Notice," " Order," " Proclamation." | | |
| Rivulet, | | |
| Injunction by the Magistrate of Poona, prohibiting people from washing cattle, clothes, or other articles, or in any way dirtying and rendering unfit for drinking, the water in the 'odhas,' or rivulets, running east and west of the village of Ghora.. .. | ix. | 528–529 |
| *See* also " Injunction," Notice," " Order," " Proclamation." | | |
| Road, | | |
| Destruction of a public road, | | |
| Ebhram Khan wulud Oomer Khan Gawunker .. .. | i. | 90– 91 |
| Obstruction to a public road, | | |
| Nagapa bin Neelapa .. .. .. .. .. .. | i. | 167–168 |

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| If any unlawful obstruction of a road has been committed, or public right of thoroughfare invaded, it is desirable to proceed under Act XXI. of 1841, which is applicable to such cases .. | iii. | 343 |
| The making of snuff in a house close to a public thoroughfare was prohibited by a notice served under Act XXI. of 1841, in consequence of the inconvenience arising to the public from the effects of the tobacco-dust .. .. .. .. .. | iii. | 351–352 |
| Day-labourers on public roads are not private servants, and their punishment as such by a Deputy Magistrate, under Clauses 2 and 3 of Regulation XII. of 1827, is annulled .. .. .. | iv. | 511 |
| Notice prohibiting fish, or vegetables, from being deposited for sale on the public road between the Government school and Railway station at Tanna .. .. .. .. .. .. | iv. | 856 |
| Encroachment by building on a public road, Purshotum Muncharam .. .. .. .. .. | v. | 94– 97 |
| The proceedings of the Magistrate, under Act XXI. of 1841, in respect to the encroachment of a building on the public road, were justifiable, in no way precipitate, and called for no interference .. .. .. .. .. .. .. .. | v. | 97 |
| An injunction to prevent the public roads from being contracted by sheds, or awnings, is held to be a matter of Police, in which the Court cannot interfere.. .. .. .. .. .. | vi. | 119–120 |
| A proclamation, prohibiting horses, or bullocks, from being ridden, or driven, on the public roads, adorned with bells, is disapproved .. .. .. .. .. .. .. .. | vii. | 772–773 |
| Notice prohibiting the removal of earth, or clay, from within a distance of fifty feet from the public road .. .. .. | viii. | 67 |
| A proclamation on the 'obstruction to public roads' should be issued under Regulation XII. of 1827, and not under Act XXI. of 1841, which does not contemplate the case .. .. .. | viii. | 84 |
| Prohibition against carrying on business in public thoroughfares .. | viii. | 214–216 |
| A Magistrate's order for the removal of a veranda is directed to be confined to the eight inches of encroachment which the 'punchayet,' or committee, pronounce to have been made on the public road.. .. .. .. .. .. .. .. | viii. | 260 |
| A proclamation, enjoining carts to be driven on the left side of the public roads, and to keep line; and no carts to be left unyoked on the public road on any pretence whatever .. .. .. | viii. | 318–323 |
| Notice ordering music in the public streets of Belgaum to be discontinued on the approach of horses, mounted or in draught .. | ix. | 618–619 |
| The drying of fish near the high road in a certain quarter of the town of Tanna is prohibited .. .. .. .. .. | x. | 710–711 |
| Prohibited the flying of kites from the high roads and thoroughfares in the town of Surat .. .. .. .. .. | x. | 712 |
| In respect to the cleanliness and preservation of roads; to the prevention of nuisances, and of furious riding, or driving, upon them; to the manner in which bullocks are to be harnessed; and, in fact, to such subjects connected with roads as are not entered above, *see* "Injunction," "Notice," "Order," "Proclamation." | | |
| Robbery, | | |
| Vitul Nilkunt .. .. .. .. .. .. .. | v. | 250–251 |
| Yeshwuntrow bin Rowjeerow .. .. .. .. .. | v. | 526 |
| Rugunath wulud Kanhoo .. .. .. .. .. | vii. | 208–209 |
| Petition of Govindram, praying that one Ramajee may be prosecuted for robbery .. .. .. .. .. .. .. | vii. | 287–288 |
| And aiding in robbery, Samuna bin Kaluna .. .. .. .. .. .. | v. | 418–422 |
| And receipt of stolen property, knowing or having evident ground to believe it stolen, Dhondoo Rughoonath, and another .. .. .. .. | iii. | 677–685 |

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| Noticed instance in which a charge of 'murder' should have been preferred as one of 'murder, attended with robbery' .. .. | ii. | 5- 8 |
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| Noticed instance in which, for 'breach of trust,' a charge of 'robbery' should have been preferred .. .. .. .. | ii. | 242 |
| A person who deposed to his lodging in a house in which a robbery was committed was not examined, as he should have been, for the prosecution.. .. .. .. .. .. .. | ii. | 428 |
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| The amount of loss in a case of robbery is not satisfactorily proved; nor can the deposition of the complainant be accepted in its integrity on this point .. .. .. .. .. .. | iii. | 275 |
| Noticed in a case of robbery, attended with murder, that there appears to have been no Police evidence as to the discovery of the body .. .. .. .. .. .. .. .. | iii. | 364 |
| Noticed on the trial of a case of robbery, attended with murder, the absence of a witness who the Session Judge had directed to be sent up with the case .. .. .. .. .. .. | iii. | 364 |
| Noticed the neglect of a First Assistant Magistrate to examine the other witnesses in a case of robbery, attended with murder .. .. .. .. .. .. .. . | iii. | 364 |
| Noticed instance in which an Assistant Magistrate should have convicted prisoners tried for robbery, &c. of 'robbery, with force.' | iii | 428 |
| A prisoner having admitted his statement confessing his knowledge of the robbery before the Sessions Court, the Session Judge should have assigned more distinct reasons for acquitting him. | iii. | 479 |
| The deposition of a Jemadar should have been taken who arrested a prisoner in a case of robbery .. .. .. .. .. | iii. | 487 |
| The attention of the Magistrate is called to a very inexcusable assault and ill-treatment by the Police of two persons suspected of an attempt to commit robbery by night .. .. | iii. | [illegible] |
| The sentence in a case of robbery, without force, by night, was mitigated, it being considered that the great temptation afforded by the culpable negligence of complainant was some palliation for the offence .. .. .. .. .. .. .. | iv. | 113 |
| Noticed instance in which the definition of 'robbery' does not apply to the offence so charged against a prisoner, but is that which the English books call 'cheating,' or 'obtaining under false pretences' .. .. .. .. .. .. .. | iv. | 165 |
| The charge against a woman should not have been 'murder' only, but 'murder, with robbery' .. .. .. .. .. | iv. | 338 |
| Observed in a case of robbery, that the Duffadar and Police Patels never entered to make search in a house in which, for all the Police can know about it, the whole of the property lost in the robbery may at the time have been concealed.. .. .. | iv. | 427 |
| It is recorded in the summing up on an important trial for 'robbery, attended with murder,' that a rag in which the stolen articles were tied up corresponded with the piece taken out of the prisoner's house, when there was no evidence whatsoever to that fact on record .. .. .. .. .. .. | iv. | 443 |
| Evidence of the facts attendant on, and succeeding, a robbery should have been taken and recorded, instead of reliance being wholly placed upon that of the confessions and their attestors.. .. | iv. | 786 |
| Noticed that a charge preferred as one of robbery, attended with murder, would more properly have been designated 'murder, attended with robbery' .. .. .. .. .. .. | iv. | 869 |
| Observed on a trial for robbery, with force, by day, accompanied with murder, that the conduct of the subordinate Police officers appears, from the evidence, to have been most reprehensible.. | iv. | 985–986 |
| Noticed case in which the prisoners should have been committed for assault, and not for robbery .. .. .. .. .. | v. | 272 |
| A frequent offender is sentenced by the Sudder to receive for robbery, without force, by night, fifty stripes, three months solitary imprisonment, and three months imprisonment with hard labour.. .. .. .. .. .. .. .. | vi. | 40 |
| Forcibly, or secretly, taking away property, so as to deprive the owner of it, is robbery; and robbery, when the amount is small, and there is a want of care in securing the property, becomes theft .. .. .. .. .. .. .. .. | vi. | 135 |

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| A party standing at the gate of a 'mut' to give warning of the approach of strangers to others engaged in a robbery, should, in accordance with Clause 2 Section 36 Regulation XIV. of 1827, have been declared a principal in the robbery, and not a mere accessary to it .. .. .. .. .. .. | vi. | 227 |
| Noticed in a case of robbery, with force, by night, the shameful misconduct of the Police Patels and Government servants in endeavouring to suppress the charge against the prisoners .. | vi. | 227 |
| A Deputy Magistrate should require from the Police proof that a robbery had been committed, and some further evidence against a man than the testimony of two women, who, just awoke from sleep, concur in recognising him as a near neighbour, and his dress *a bare head and dhotur* .. .. .. .. .. | vi. | 320 |
| Noticed instance in which a prisoner should have been charged as a principal, and that the charge against all the prisoners should have been 'murder, with robbery,' and not 'robbery, with murder' .. .. .. .. .. .. .. .. .. | vi. | 367 |
| A prisoner charged with 'robbery' is by the Sudder considered guilty of 'theft' only, but, being an old offender, is sentenced to receive twenty-five stripes and six months imprisonment with hard labour.. .. .. .. .. .. .. .. | vi. | 403 |
| A Sowar is awarded, under Clause 3 Section 33 Regulation XII. of 1827, a reward of fifty Rupees for intelligence and activity in apprehending a robber .. .. .. .. .. .. | vi. | 520 |
| Noticed the misconduct of Police officers in torturing prisoners while engaged in their capacity of Policemen in instituting an inquiry into a robbery .. .. .. .. .. .. | vi. | 886–888 |
| When complaint of a robbery having been committed is brought before the Police officer, or Magistrate, it is not the duty of those officers, in the first place, to require the complainant to establish the fact that he was possessed of the property, as in that case the robbers might escape; but to apprehend the persons supposed to have committed the crime, and if they prove their innocence, or throw suspicion on the complainant, it is then time enough to inquire whether the charge is not utterly groundless .. .. .. .. .. .. .. .. | vii. | 63 |
| Noticed case in which, if the Assistant Magistrate thought a charge of robbery could not hold, he should have altered the charge before he came to record his finding .. .. .. | vii. | 207 |
| An order to give security not to rob, because parties were caught gambling, is annulled .. .. .. .. .. .. | vii. | 509–513 |
| Noticed in a case of robbery, with force, by night, that the conduct of the Police is deserving of commendation .. .. | viii. | 252 |
| Noticed of the Tanna Police, on a trial for robbery, that they appear to have nothing to do, and to do nothing .. .. | vi. | 319 |
| Holding it but natural that a man should endeavour to conceal the guilt of his wife, of whose acts of robbery and murder he knew nothing until after they were committed, the Sudder annul the sentence of the Sessions Court, and direct that the prisoner be discharged .. .. .. .. .. .. .. | viii. | 568 |
| Noticed in a case of robbery, with force, by day, that the Deputy Magistrate's procedure throughout the case was right, and that of the Magistrate wrong .. .. .. .. .. .. | ix. | 196 |
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| A sentence of five years imprisonment with hard labour is noticed as very inadequate for such a crime as attempt at murder deliberately planned, and robbery deliberately carried out .. .. | x. | 147–148 |
| A Foujdar is called on to explain why he did not, until two days after the report of a robbery, take the statement of the complainant .. .. .. .. .. .. .. .. | x. | 265 |
| Conspiracy by the Police to extort confession, &c. by torture in a case of robbery .. .. .. .. .. .. .. | x. | 531–532 |
| *See* also "Police." | | |
| For gang robbery in particular, *see* "Gang Robbery," "Theft." | | |
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| Roodrapa wulud Purmapa, and two others.—Murder; and concealment of murder after the fact .. .. .. .. .. .. | v. | 560–568 |
| Roodrawa kom Eerapa, and another.—Removing her own pregnancy by procuring abortion; and aiding in the same offence.. .. | iii. | 57– 60 |
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| Sanction, | | |
| A Deputy Magistrate had no power to pardon and employ as a witness, without the Magistrate's sanction, one who was evidently concerned in the crime of murder then under investigation .. | iii. | 51 |
| Suggested a course for Government to pursue on sanctioning prisoners being put on trial .. .. .. .. .. .. | v. | 627 |
| Sanction to defray any expenditure incurred by demolishing an old and ruinous building, used as a place of concealment by thieves, should be preferred after the Magistrate has removed the materials .. .. .. .. .. .. .. | viii. | 29 |
| Sankla Purma.—Perjury .. .. .. .. .. .. .. | ix. | 202-205 |
| Sankla Tejpal.—Perjury .. .. .. .. .. .. .. | ix. | 230-232 |
| Sanklee Zamin, or chain bond of reciprocal responsibility for crime, is an ancient institution of Police, which answers admirably to control the turbulent race of Kolees in Guzerat. The enforcement of its penalty by ' mohsulee,' or distribution of the fine over an entire community, each of the members of which is liable to the payment of his share, and to punishment in default, presses lightly and proportionably upon each and every individual, whom it links to the maintenance of order, and interests to the prevention of crime .. .. .. .. .. .. | iv. | 770-773 |

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| 'Mohsulee' is a fine imposed in Guzerat upon each and every individual of a community for breach of 'sanklee zamin' .. | iv. | 771 |
| The 'zampleebund' is a penalty super-imposed for non-payment of 'mohsulee,' or fine for breach of 'sanklee zamin' in Guzerat.. | iv. | 772 |
| Proposed by Mr. P. W. LeGeyt a mode of enforcing the 'sanklee zamin,' so that the ancient and practically useful customs of the country may be enforced without deviating from the letter of the regulations .. .. .. .. .. .. .. | iv. | 772-773 |
| Commended the zeal of Mr. E. G. Fawcett, and his remarks and proceedings with reference to the ancient and native usage of 'sanklee zamin' in Guzerat .. .. .. .. .. | iv. | 773 |
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| Santuma bin Sidapa.—Attempt at conspiracy .. .. .. .. | iii. | 564-568 |
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| Sanund, | | |
| The complaints of the Thakoor of Sanund against the Acting Magistrate are pronounced groundless, and the Acting Magistrate commended for the promptitude of his proceedings, and for the patience, tact, and discrimination displayed throughout the inquiry undertaken at the request, and for the special benefit of, the Thakoor .. .. .. .. .. .. .. | i. | 241 |
| A case of conspiracy against the Thakoor of Sanund should have been heard by the Session Judge himself .. .. .. | i. | 243 |
| The Session Judge should have convicted of murder three Sowars, who, in conveying an unarmed prisoner to Sanund, did, on his attempting to escape, kill him, on the plea that that was the only way of preventing his escape .. .. .. .. | vi. | 461-462 |
| A recognisance bond, binding a party to refrain from visiting the villages of Kote and Sanund, and from interfering in the affairs of the Thakoor of Sanund, or from mixing himself up in any dispute on the part of the Thakoor, and requiring him to behave reasonably, is annulled .. .. .. .. .. | vii. | 188 |
| No exemption from the 'jamplee' or 'zampleebund,' *i. e.* the reciprocal security system in Guzerat (*see* "Sanklee Zamin" and "Zampleebund") should be granted the Sanund Talookdar .. | ix. | 370 |
| Saolia bin Vithoo.—Breach of religious law .. .. .. .. | iv. | 271-272 |
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| Sayud Alee wulud Ameen Saheb, and two others.—Murder .. .. | ix. | 443-448 |
| Scurvy, | | |
| The unexpired portion of the sentence of a prisoner is, he being an old man, remitted by Government, at the recommendation of the Sudder .. .. .. .. .. .. .. | iv. | 992-994 |
| Scene, | | |
| A person who made a plan of the scene of murder should have been examined to prove that it was a true representation of the several spots to which the witnesses had referred in their depositions .. | ii. | 7 |
| Schedule, | | |
| A Session Judge was wrong in setting aside the house and bullocks of a labouring-man as not necessary to be entered in his schedule when praying to sue as a pauper; for had the pauper only omitted these, he would have been liable to a charge of perjury .. . .. .. .. .. .. | v. | 382-383 |
| The schedule of a pauper must contain, without reservation of any kind soever, a list of everything he is possessed of. No option and no discretion are allowed a pauper as to what he should enter in his schedule .. .. .. .. .. .. | v. | 383 |

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| Noticed in the case of a person charged with perjury, in having, when desirous to sue as a pauper, sworn to a false schedule, that the Court would have been prepared to confirm a sentence heavier than that passed on him of two months imprisonment with hard labour .. .. .. .. .. .. .. | v. | 382–383 |
| **Seal,** | | |
| Noticed 'neglect of duty' in losing the silver seal of the Moonsiff's court .. .. .. .. .. .. .. .. | iii. | 200–202 |
| Noticed with regret that a peon, of whom his master (the Moonsiff) spoke in the highest terms, should have been criminally arraigned for the loss of a seal, which was most probably a misfortune .. .. .. .. .. .. .. .. | iii. | 202 |
| A prisoner convicted of 'fraudulently appropriating public money,' having presented in his defence an order under the seal and signature of the Mamlutdar, the order is sent to the Magistrate, and that officer directed to report upon it as bearing upon the present case .. .. .. .. .. .. .. | viii. | 750 |
| **Search,** | | |
| The search by a Police peon of the house of a prisoner at night, without any urgent necessity, is condemned .. .. .. | i. | 108 |
| Noticed the misconduct of a Police Naik, in concealing a woman charged with theft, and of whom the Police were in search .. | i. | 2 |
| Remarked as undue the censure of an Assistant Session Judge upon the Police, whose conduct the Court consider praiseworthy in the search they instituted, and which was called for by the formal announcement they received of the perpetration of so grave a crime as murder .. .. .. .. .. .. | i. | 490–492 |
| The attention of a Magistrate is drawn to the conduct of the Police, who, professing to have searched a house, did, notwithstanding, make no search therein. The Duffadar of Police and the Police Patels, who were present, never entering the house at all, in which, for all the Police can know about it, the whole of the property lost in the robbery may at the time have been secreted .. .. .. .. .. .. .. | iv. | 427 |
| Noticed omission to search, and the ill-effects of want of search, in a case of murder .. .. .. .. .. .. .. | iv. | 867 |
| A Foujdar is to be called upon to explain on what grounds, before he had taken the evidence of the complainant, he ordered the prisoner's house to be searched .. .. .. .. | x. | 265 |
| Noticed that the manner in which the house of a prisoner (a District Police Officer) was searched, 'was highly reprehensible' .. | x. | 680 |
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| Letters on the subject of a trial for treason, though issued from the secret department of the Secretariat, should have been recorded on the trial, as the contrary could never have been intended by the Government, and could never be allowed .. | viii. | 477–478 |
| **Secretariat,** | | |
| Letters on the subject of a trial for treason, though issued from the secret department of the Secretariat, should have been recorded, as the contrary could never have been intended by the Government, and could never be allowed .. .. .. | viii. | 477–478 |
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| There is no punishment provided for harbouring, or receiving, a stolen child under Clause 2 Section 36 Regulations XIV. of 1827, and a woman sentenced under that regulation for child-stealing, being guilty to the extent only of harbouring, or receiving, the sentence passed upon her is annulled .. .. | v. | 807–808 |
| Harbouring, concealing, and secreting a deserter .. .. .. | x. | 439–452 |
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| The name, age, sect, religion, and profession of a witness should, as specified in Clause 1 Section 36 Regulation XIII. of 1827, be entered after the witness has been put on solemn affirmation.. | iii. | 129 |
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| An order to furnish security is cancelled, on the ground that a complainant's word alone is not sufficient to warrant the conclusion that he whom he accused is a man of bad reputation .. | i. | 292 |
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| The reasons given by a Magistrate, that persons convicted of crimes are more apt to revert to the train of conduct which brought them as prisoners before the Police, unless they have somebody to look after them, is not concurred in, and the order for security is annulled .. .. .. .. .. | i. | 383 |

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| The assertion of a Police Patel, or of a Police Amuldar, that a prisoner is a thief, vagabond, or person of bad repute, does not constitute sufficient ground for demanding security from a prisoner .. .. .. .. .. .. .. .. | i. | 389 |
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| An order for security is annulled, there being no record to show that the prisoners are likely, on their release from jail, to have recourse again to fraud and robbery .. .. .. .. | i. | 526 |
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| In the case of a person who, not being an inhabitant of the zillah in which security was demanded, was required to furnish security, the Magistrate is instructed to follow, in respect to him, the course laid down in Section 28 Regulation XII. of 1827, of expelling him from the district .. .. .. .. | iii. | 235 |
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| Held with reference to a security bond, and the imposition of a fine on the sureties for the alleged breach thereof, that the bond is not forfeited; that the Grassias of Jeytulpoor must, in the first instance, be required to produce the thieves, or pay the value of the property stolen; and in default of either requirements, the sureties must abide by the penalties of the bond .. | iv. | 66 |
| A zillah Magistrate has no power to mitigate or annul the penalty of a security or recognisance bond exacted by one of his subordinates .. .. .. .. .. .. .. .. | iv. | 360 |
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| A Magistrate has no power to prohibit, even at the requisition of the Superintendent of Police, a native, resident of the city of Poona, from going within the camp limits of that city; nor to take security from him to that effect .. .. .. .. | v. | 50 |
| A Magistrate is requested to annul the informal order of his Assistant requiring security, and to direct him, in taking security, to follow the course laid down in circular orders Nos. 240 and 260. | v. | 53 |
| Sanctioned, on reference, the enforcement of a penalty of forfeiture involving a longer period of imprisonment than a Magistrate has authority to adjudge .. .. .. .. .. .. | v. | 86 |
| A Mahalkuree was to blame for having placed in custody for two days a prisoner for whom he might have taken bail, or personal recognisance .. .. .. .. .. .. .. | v. | 641 |
| An order for security is annulled, the party of whom it is demanded not being one who, from bad reputation, or turbulent habits, is an object of distrust within the meaning of Section 25 Regulation XII. of 1827.. .. .. .. .. .. .. | v. | 682 |
| Noticed as remarkable that a party did not appeal until more than a year after he gave security against an order of the Magistrate calling on him to furnish such, and which order, on being brought to notice, is annulled, as the party on whom it has been passed is not one who, from bad reputation, or turbulent habits, is an object of distrust within the meaning of Section 25 Regulation XII. of 1827 .. .. .. .. .. .. | v. | |
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| Two persons entered into security bonds to prevent, for five years, the occurrence of any offence in the village of Ankuroo. Six years and eleven months after the obligation of these men had ceased, a robbery occurring in Ankuroo, the Magistrate called upon these two individuals to make good the loss—a decision the Sudder Court reversed.. .. .. .. .. .. | vi. | 156 |
| A man who has suffered two years imprisonment for an offence, and been in jail another year for want of security, should be allowed to show whether he is reformed or not.. .. .. | vi. | 448 |
| Security should only be demanded from those against whom there is suspicion that they are likely to commit wrongful acts .. | vi. | 448 |
| Held on 'the failure to give security for good conduct' of a notorious offender who formerly resided in the territories of His Highness the Guicowar, or that, if not a native of the zillah nor a British-born subject, he may be expelled; but the Court know of no law for making him over to the Guicowar authorities after his imprisonment .. .. .. .. .. .. | vi. | 576 |
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| An order, calling upon a party to give security to the amount of one thousand Rupees for one year, because some cotton, suspected to have been stolen, was found in his godown, is annulled .. .. .. .. .. .. .. .. | vi. | 810 |
| The Court refuse to interfere in a Magistrate's proceedings, calling upon a party to furnish security, until the order for security is carried out .. .. .. .. .. .. .. .. | vi. | 824 |

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| Security being required for one year, a prisoner should, on failure of furnishing it, be detained for that, and for no less a period .. .. .. .. .. .. .. .. | vi. | 875 |
| A Magistrate and Superintendent of Police have no power to banish a man the zillah, except upon his failing to furnish security .. .. .. .. .. .. .. .. | vi. | 885 |
| A man having been imprisoned for want of security and released cannot thereafter be expelled .. .. .. .. .. | vi. | 885 |
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| Conspiracy and perjury should be punished directly as such under the regulations; and not indirectly by demanding excessive security, and declaring forfeitures.. .. .. .. .. | vii. | 42 |
| Noticed instance in which, if the Magistrate think proper to call upon a prisoner to furnish security, he should proceed to take it anew, the old warrant being of no avail .. .. .. .. | vii. | 151 |
| For the maintenance of peace and good order between two bitter and inveterate enemies, security was required of the one, and recognisance of the other; but the Court, holding that the recognisance would preclude the latter party from prosecuting any just claim against his hostile opponent, directed the recognisance should be cancelled.. .. .. .. .. .. .. | vii. | 261 |
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| Gambling is immoral, but, not affecting others in any direct manner, does not call for such preventive measure as the requisition of security .. .. .. .. .. .. .. .. | vii. | 513 |
| An order to give security not to rob, because parties were caught gambling, is annulled .. .. .. .. .. .. | vii. | 509–513 |
| Adultery is not an offence, to refrain from which security can be demanded .. .. .. .. .. .. .. .. | vii. | 555 |
| The Court cannot see the use of requiring security from a man said to be so expert as to elude the vigilance of the Police, and to effect his depredations without affording a clue sufficient for conviction. For such an one, the measures contemplated in Clause 2 Section 27 Regulation XII. of 1827 are recommended .. .. .. .. .. .. .. .. | vii. | 572 |
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| A Magistrate is directed to amend, as it is competent for him to do, his order for security .. .. .. .. .. .. | viii. | 681 |
| If the principle influencing a Joint Magistrate were admitted, and it were held that parties acquitted on a trial were likely to injure those who prosecuted them, every accused person might be called on to give security to keep the peace towards the witnesses for the prosecution .. .. .. .. .. | ix. | 162 |
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| The unjustifiable seizure and carrying off of money by a Police officer on mere and unwarrantable suspicion of its being stolen was the exciting cause of riot and breach of the peace .. .. | v. | 242 |
| The peon who took six annas to release a witness, and not the party who gave that sum to be freed from seizure as a witness, was guilty of offence; and the giver, moreover, could not, in this case, be held guilty of instigating to bribery .. .. | vi. | 160 |
| Seizure of property, | | |
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| A plea of guilty of killing the deceased in self-defence is a plea of 'not guilty of murder,' and should have been so recorded .. | x. | 159 |
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| A sentence passed being for two offences, both cases required confirmation, and should accordingly be submitted .. | i. | |
| The conviction and sentence in a case of child-stealing are annulled, the offence committed not being within the regulations .. .. .. .. .. .. .. .. | i. | |
| The sentence in a case of 'destruction of property' (that of breaking up, and appropriating the materials of, a stranded boat valued at five hundred Rupees) being considered very heavy, is reduced to a fine of twenty-five Rupees, or imprisonment with hard labour for two months .. .. .. .. .. | i. | 106–108 |
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| The sentence in a case of adultery is annulled in consideration of the conduct of the husband, and other circumstances .. .. | i. | 172–173 |
| Noticed the insufficiency of the sentence against a prisoner for murder, the punishment awarded being secondary where it should have been capital .. .. .. .. .. .. | i. | 185 |
| So grave an offence as 'destruction of a dwelling-house, by fire, in the night time,' deserved a heavier punishment than imprisonment with hard labour for six months, and a fine of one hundred Rupees, commutable, if not paid, to further imprisonment with hard labour for six months .. .. .. .. .. | i. | 199–200 |
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| The conviction and sentence of a Police Patel for neglect of duty in not searching after a stolen bullock are annulled on the ground of neglect, or connivance, not having been substantiated against him .. .. .. .. .. .. .. .. | i. | 252 |
| For making false entries in Government accounts, and for appropriating public money, a Karkoon is sentenced to a fine of one hundred and fifty Rupees, or imprisonment without labour for one year .. .. .. .. .. .. .. .. | i. | 272 |
| Sentences of imprisonment with labour, whether passed on women, infants, or aged persons, should direct with 'hard labour'—the words *hard labour* should always be inserted .. .. .. | i. | 287 |
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| authority of the Police are annulled, the charge not coming within the provisions of the regulation cited .. .. .. | i. | 299 |
| The sentence passed upon a prisoner convicted of receiving stolen property is remitted; for though there be strong suspicion, there is not positive proof of his having received the stolen property .. .. .. .. .. .. .. .. | i. | 344–345 |
| A prisoner, whose sentence for receiving stolen property is, on the ground of insufficient evidence, remitted, is sentenced to three months imprisonment with hard labour for escape from custody, and directed, at the expiration of his sentence, to be sent to the Magistrate to be expelled the zillah, should he not be able to furnish security, as it appears he is not a native of the Ahmedabad zillah .. .. .. .. .. .. .. .. | i. | 345 |
| The sentence on a prisoner charged with murder, and convicted of culpable homicide, unattended with any marks of atrocity, is mitigated to eighteen months imprisonment with hard labour.. | i. | 381 |
| Opposite the word 'theft' in the register of petitions of a Session Judge, eight months imprisonment (a sentence heavier than the regulations provide for the offence) is entered; and if the offence was so designated in the warrant, the Session Judge should have called for the proceedings, and have taken measures to have it corrected .. .. .. .. .. .. .. .. | i. | 425 |
| Conviction of, and sentence for, receiving stolen property, are annulled, mere culpable negligence in exchanging old goods for new not being held to amount to that offence .. .. .. | i. | 436 |
| Noticed a sentence to which the confirmation of the Sudder Foujdarce Adawlut was not required .. .. .. .. | i. | 464 |
| Noticed on a trial for murder, that further inquiries should have been made, and that those made had not elicited sufficient evidence to convict the prisoners, the sentence against whom is therefore annulled .. .. .. .. .. .. .. | i. | 472–475 |
| The evidence of the accomplices, being after conviction and sentence, is good evidence .. .. .. .. .. .. | i. | 481 |
| A Magistrate can commit a case at any time, the sentence in which is erroneous, or illegal, provided the entire sentence passed by his subordinate has not been executed .. .. .. | i. | 512 |
| No valid reason appearing for holding a prisoner to security at the expiration of his sentence of imprisonment, the order for security is annulled .. .. .. .. .. .. | i. | 557 |
| A prisoner's term of imprisonment having expired when he was re-apprehended, the sentence of a Session Judge, adjudging him to undergo the balance of punishment which he would have suffered had he not escaped, is illegal .. .. .. .. | i. | 598 |
| Grave suspicion of the way in which a prisoner's confession was obtained made one of many grounds for annulling the sentence passed upon him .. .. .. .. .. .. .. | i. | 601 |
| Noticed the great impropriety of postponing judgment so long after trial in cases involving capital punishment.. .. .. | i. | 616 |
| A prisoner tried for murder, and convicted of culpable homicide, is sentenced to eighteen months imprisonment with hard labour .. .. .. .. .. .. .. .. | i. | 617 |
| Noticed the inadequacy of the sentence in a case held to be one of rape .. .. .. .. .. .. .. .. | i. | 620 |
| Observed that the extract from the proceedings does not mention the date on which the sentence was pronounced.. .. .. | i. | 657 |
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| Noticed instance in which a more lenient sentence might have been passed upon prisoners who showed themselves anxious to make such reparation as would satisfy the prosecutor for their breach of trust .. .. .. .. .. .. .. .. | ii. | 30 |
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| Sentence mitigated as too severe in a case of culpable homicide .. | ii. | 45 |
| The sentence in a case of serious assault is mitigated from consideration of the circumstances of the case, and from the fact that the prisoner's wife, on whom the assault was committed, will be necessarily a sufferer from the imprisonment of her husband.. .. .. .. .. .. .. .. .. | ii. | 54 |
| The conviction of a prisoner is annulled, he having been convicted and sentenced for the very same offence in another trial .. | ii. | 61 |
| The sentence of a Session Judge in a case of embezzlement, being considered too severe, is mitigated .. .. .. .. | ii. | 94 |
| The sentence in a case of perjury of trifling character, being thought too severe, is mitigated .. .. .. .. .. | ii. | |
| A party convicted of, and sentenced by the Session Courts for murder, is by the Sudder convicted of, and sentenced for, culpable homicide .. .. .. .. .. .. .. .. | ii. | |
| So much of a sentence as awards solitary imprisonment is remitted as not prescribed by the regulations for the offence for which it was awarded—that of receiving stolen property.. .. | ii. | |
| It being evident, on a review of the proceedings of a case of bribery, that the conviction of the prisoner was contrary to evidence, the Court, without hearing counsel, decided accordingly, and, annulling conviction and sentence, ordered the prisoner's discharge .. .. .. .. .. .. .. .. .. | ii. | 153–154 |
| Noticed that, in sentencing a prisoner, the Court overlooked the requirements of Act XIV. of 1844 .. .. .. .. | ii. | 268 |
| There appears no reason why, in the case under review (that of perjury), the prisoner should not have been sentenced to imprisonment with hard labour .. .. .. .. .. | ii. | 285 |
| The Agent of Colaba should have set out in his letter which of the sentences he had passed required the confirmation of the Sudder .. .. .. .. .. .. .. .. | ii. | 361 |
| A case which should have been charged as one of robbery was a very bad one, and the Session Judge has not convinced the Court that there was any just cause for mitigating the sentence. | ii. | 370 |
| Justice and humanity both require that no delay, for which a satisfactory reason cannot be assigned, should take place in passing judgment .. .. .. .. .. .. .. .. | ii. | 379 |
| Neither the finding nor language of a Session Judge's recommendation of the mitigation of a sentence he himself had passed conveyed a true state of the convict, which subsequent report showed was so deplorable as to call for the interposition of Government on his behalf .. .. .. .. .. | ii. | 381 |
| Observed that the sentence recorded in a case of 'gang robbery, with force, by night,' seems scarcely adequate to the offence so fully proved .. .. .. .. .. .. .. | ii. | 391 |
| The Government, on a case referred to them under Section 31 Regulation III. of 1827, mitigate, at the recommendation of the Sudder Court, the sentence of death passed upon a prisoner to imprisonment for life .. .. .. .. .. .. | ii. | 403 |
| In forwarding a warrant from Government for the mitigation of a sentence, the Court expect that in future the Session Judge will never pass *pro formâ* a sentence which he does not consider at the time it is pronounced can be carried into effect .. .. | ii. | 403 |

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| On punishment being awarded to a prisoner for escape from custody, mention should have been made when the sentence he was undergoing would expire irrespective of that to which he was subjected for escape .. .. .. .. .. .. | ii. | 407 |
| The sentences passed on certain prisoners are annulled, the secondary evidence against them being held insufficient to justify their conviction on retracted confessions, particularly as the confessions were made on the 18th February, and not sent to the Deputy Magistrate until the 22nd April .. .. .. .. | ii. | 434 |
| Section 3 Regulation IV. of 1830 provides that all sentences of Assistant Magistrates are open to the revision of the Magistrates, who may pass such final order on them as they deem consistent with justice .. .. .. .. .. .. | ii. | 448 |
| The Sudder mitigate to imprisonment with hard labour for six months the sentence passed upon a woman for 'removing her own pregnancy by procuring abortion,' the act, in her instance, being marked by no feature of atrocity .. .. .. .. | ii. | 481–482 |
| A sentence in a case of 'forgery, aggravated by perjury,' should have been made more severe, and particularly at Poona, where such offences are said to prevail .. .. .. .. .. | ii. | 502–503 |
| The punishment awarded a prisoner for 'obstructing the course of public justice,' was illegal, and the sentence, which the Acting Magistrate should have annulled, must now be quashed. | ii. | 562 |
| The punishment for escape Section 24 Regulation XIV. of 1827 provides should be of the same nature as that to which the prisoner had been sentenced, but is not to exceed four years imprisonment, so as a man may, for murder, be sentenced to imprisonment for life; for escape from custody he may, when confined on a charge of murder, be sentenced to imprisonment for not more than four years .. .. .. .. .. | ii. | 567 |
| Noticed the inadequacy of the punishment awarded to a prisoner, who, had the Session Judge tried the case himself, would, it is trusted, have received a sentence more commensurate with the serious offence considered to have been proved against him .. | ii. | 582 |
| The release, on the requisition of the Session Judge, of prisoners sentenced by a Magistrate was illegal .. .. .. .. | ii. | 604 |
| A Magistrate has no power by law to alter his own sentence, nor the Session Judge, as reviewing officer, to annul it, and order the release by the Magistrate of prisoners sentenced by that functionary .. .. .. .. .. .. .. | ii. | 604 |
| If the sentence passed by a Magistrate were by the Session Judge considered too severe, he should have submitted the proceedings to the Sudder Court with the ground upon which a mitigation of the sentence was considered called for .. .. .. .. | ii. | 604 |
| The Sessions Court ought not to have alluded to the sentence until after the finding had been recorded .. .. .. .. | ii. | 615 |
| Public servants convicted of, and sentenced by the Sessions Court for fraud, are by the Sudder Court acquitted .. .. .. | ii. | 635–641 |
| Noticed as an impropriety in procedure, that, on a prisoner's pleading guilty, the Court, without recording a conviction, adjourned the case to deliberate upon the sentence .. .. | ii. | 614–615 |
| Although there may have been no actual enmity entertained towards the woman, yet still the brutality displayed in the assault upon her, and the absence of all passion or excitement, evinced that degree of malice which the law assumes to precede murder, and the prisoners, in place of being convicted of culpable homicide, should have been convicted of, and sentenced for, murder .. .. .. .. .. .. .. .. | ii. | 648 |
| The finding and sentence of a Session Judge in a case of murder are disapproved .. .. .. .. .. .. .. | ii. | 649 |

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| A sentence is annulled because conviction in the case is based wholly and solely on the proceedings of another case which is not evidence .. .. .. .. .. .. .. | ii. | 674 |
| Observed that, with instructions so explicit as are recorded in circular order No. 459, for carrying out sentences of solitary imprisonment, and with so obvious a course open to him as a reference to the Sudder Court, it is to be regretted that a Session Judge should have acted so contrarywise and have discharged a prisoner from jail before the expiration of her sentence. | ii. | 681 |
| In such offences as 'melting suspicious ornaments,' the circumstances must be very peculiar indeed which will justify the Court in abstaining from adding labour to the sentence.. .. .. | ii. | 733 |
| Noticed in a case of murder committed by a woman, that a capital sentence should have been passed on the prisoner .. .. | iii. | 18– 21 |
| Noticed an error in omitting to quote the regulation when awarding sentence .. .. .. .. .. .. .. | iii. | 105 |
| Noticed instance in which a Joint Magistrate might, in confirming the conviction of his Assistant, have very properly mitigated the severity of his sentence .. .. .. .. .. .. | iii. | |
| Noticed that, in passing a secondary sentence upon a woman arraigned for murder, and whose cruel assault upon a boy occasioned death, the Session Judge has omitted to show the assault was provoked, and to adduce his reasons for awarding a secondary sentence.. .. .. .. .. .. .. | iii. | 191 |
| The sentence awarded in a case of 'gang robbery, with force, by night,' was scarcely adequate to the very serious offence of which the prisoners were convicted .. .. .. .. .. | iii. | 191 |
| A secondary punishment having been awarded by a Session Judge to one of three prisoners, two of whom are sentenced to death for murder, and the Court seeing no cause for this distinction, all three appearing to them to be equally guilty, award accordingly the same punishment alike to all—transportation for life. | ii. | 198 |
| A Session Judge is informed that the sentence awarded by him in a case of 'gang robbery' was most inadequate .. .. .. | iii. | 199 |
| The conviction and sentence of a Session Judge are annulled, and the fine is to be restored to the prisoner, who is not to suffer further in any respect for the neglect of duty with which he was charged .. .. .. .. .. .. .. | iii. | 202 |
| A prisoner tried for murder is by the Sudder convicted of culpable homicide, and sentenced to two years imprisonment with hard labour .. .. .. .. .. .. .. | iii. | 203 |
| The conviction and sentence of Session Judge are annulled, the trial being declared too faulty to make it safe to rely upon the record .. .. .. .. .. .. .. .. | iii. | 213 |
| The Sudder mitigate the sentence passed upon two prisoners for 'gross misconduct and mutinous behaviour' in consideration of their having been dismissed from the Bheel Corps, to which they were attached as sepoys .. .. .. .. .. | iii. | 263 |
| A recommendation to mitigate a sentence of death to one of transportation for life cannot be complied with, as the prisoner, being an opium-eater, is no extenuation of his offence, nor any palliation of the murder of his wife, for a savage assault upon whom he was once before sentenced to one year's imprisonment .. | iii. | 273 |
| Directed that the sentence of death passed upon a prisoner be carried into effect at the usual place of execution, and not at that which a Session Judge has, for no sufficient reason, indicated.. | iii. | 273 |
| A Police Sepoy (peon) convicted of 'robbery and receipt of stolen property,' while employed as one of a party to guard the treasury of a Mamlutdar, is by the Sudder sentenced to receive twenty-five stripes and five years imprisonment with hard labour .. .. | iii. | 286 |

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| Clause 2 Section 22 Regulation XIII. of 1827 provides for the postponement of a sentence for escape pending the orders of the Sudder Court .. .. .. .. .. .. .. | iii. | 308–310 |
| Escape from custody before sentence is penal, although that sentence may have been an acquittal .. .. .. .. | iii. | 308 |
| Held on a reference from a Session Judge, that the meaning of the word 'sentence' in Regulation V. of 1831 is the definitive judgment pronounced in a case including, of course, an 'acquittal'.. | iii. | 309 |
| The Court, considering that a case of fraudulent appropriation of a letter, of which a prisoner is convicted, does not call for the maximum amount of punishment provided for by Act XVII. of 1837 Section 33, mitigate the sentence to four years' imprisonment with hard labour .. .. .. .. .. .. | iii. | 384 |
| The sentence on a prisoner is mitigated and assimilated to that passed on his accomplices, than whom he does not, to the Sudder Court, appear more guilty .. .. .. .. | iii. | 440 |
| The Court, concurring with the Session Judge that the evidence is insufficient to warrant conviction, annul the sentence passed upon the prisoner by the Magistrate .. .. .. .. | iii. | 466 |
| Wholesale dealers convicted of, and sentenced for, using false weights in purchasing tobacco, are by the Sudder Court acquitted, Section 22 Regulation XIV. of 1827, under which they were tried, applying to persons professing to deal in retail—not to purchasers, but to sellers .. .. .. .. .. | iii. | 471 |
| Act II. of 1839, quoted by a Session Judge to authorise the levy of a fine by distraint, does not apply to Sessions Court, and so much of the sentence as orders distress under that Act is annulled .. | iii. | 476 |
| Hard labour cannot be awarded for neglect of duty .. .. | iii. | 533 |
| A prisioner who, without premeditation, and on the spur of the moment, killed one whom he caught in the very act of adultery with his wife, was convicted of culpable homicide, and sentenced to one day's imprisonment .. .. .. .. | iii. | 536–537 |
| Reference to the Magistrate on the propriety of his sentence, though frequently made by, is not absolutely required of, the Sessions Court .. .. .. .. .. .. .. | iii. | 545–546 |
| The conviction of, and sentence on, a prisoner charged as a single individual with attempt at conspiracy, are annulled, as the crime of conspiracy cannot be committed by a single individual, and there can be no such thing as an attempt to commit conspiracy, as the attempt would constitute the crime itself .. | iii. | 557–558 |
| Noticed with reference to certain cases of gang robbery, that distress should not have been enforced before the Sudder had reviewed the trial, as the cases of all the prisoners were subject to review, though the sentences of all did not require the confirmation of the Court.. .. .. .. .. .. | iii. | 594 |
| The sentence of a prisoner for a fresh charge connected with former frauds is mitigated to one month's imprisonment, he having, the Court consider, been sufficiently punished for frauds committed, as a revenue officer, under his former sentence of three years' imprisonment with hard labour .. .. .. .. | iii. | 618 |
| The law does not allow of hard labour being added to imprisonment for misconduct in receiving, as a Police officer, a bribe .. | iii. | 666 |
| A Magistrate, considering the sentence passed by a Deputy Magistrate too lenient, should have annulled the conviction, and committed the prisoner for trial to the Sessions Court .. .. | iii. | 669 |
| Government remit, at the recommendation of the Sudder Court, one year of the sentence passed upon a prisoner who was induced, upon hopes held out to him, to disclose the principal offender in the robbery of a post office, for which he was, in concert with others, tried.. .. .. .. .. .. | iii. | 685 |

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| The second flogging to which a prisoner is directed to be subjected just before his release from jail is remitted, the Court objecting to the infliction of that punishment at such a time .. .. | iii. | 695 |
| The chief criminal in a case of 'gang robbery, with force, by night,' should have been transported .. .. .. .. .. | iii. | 721 |
| Noticed that the sentence in a case of 'theft' is very inadequate to the crime proved against the prisoner .. .. .. .. | iii. | 747 |
| Observed that a Session Judge assigns no reason for confirming a sentence, to uphold which, and the conviction, no sufficient grounds appear .. .. .. .. .. .. .. | iii. | 840 |
| The conviction and sentence of a party tried for perjury are annulled, the Sudder Court considering that it was not sufficient to produce an opposite statement of the accused party, also given on oath .. .. .. .. .. .. .. .. | iii. | 873 |
| The conviction and sentence in a case of conspiracy are annulled, as resting wholly and exclusively upon, in this case, the doubtful, interested, and malicious evidence of the Police .. .. | iv. | 7–11 |
| The conviction and sentence in a case of 'fraud' are annulled, and the prisoner remanded, that a charge of 'forgery' may be preferred against him .. .. .. .. .. .. | iv. | |
| Though a fine be heavy, yet, from the lapse of time since its imposition, the Court think proper not to interfere .. .. .. | iv. | |
| Noticed instance in which a Session Judge should have passed a combined sentence for 'gang robbery and escape' .. .. | iv. | |
| A sentence for robbery is mitigated, the great temptation afforded by the culpable negligence of complainant being some palliation for the offence .. .. .. .. .. .. .. | iv. | 1[illegible] |
| Evidence as to former convictions should only be considered on the apportionment of the sentence .. .. .. .. | iv. | 167 |
| A sentence of imprisonment with hard labour for five years being an illegal sentence for murder, the case is remanded, in order that a legal sentence may be passed .. .. .. .. | iv. | 186 |
| A sentence in a case of 'fraud' should have included a term of imprisonment in addition to the fine, as the regulation does not give the direction of an alternative policy .. .. .. | iv. | 193 |
| A Deputy Magistrate, without the full powers of Magistrate, is not empowered to award corporal punishment, and the confirmation of such a sentence by the Magistrate does not legalise it .. | iv. | 196 |
| Noticed in a case of rape, that personal chastisement might also have been administered to the prisoner .. .. .. .. | iv. | 270 |
| Noticed on a sentence for assault, that, as ordinary imprisonment is the equivalent for fine, so much of the sentence as awards solitary imprisonment for non-payment must be cancelled, and the Session Judge directed to pass a sentence in conformity with the regulations .. .. .. .. .. .. .. | iv. | 318–319 |
| A zillah Magistrate has the power to mitigate or annul the penalty of a security or recognisance bond exacted by one of his subordinates .. .. .. .. .. .. .. | iv. | 360 |
| On all occasions of referring to the Sudder Court for opinion with respect to the propriety of the conviction and sentence of a prisoner by the Magistrate, the Session Judge should be careful to show that the Magistrate does not approve of, nor is authorised to carry out, the amendment suggested by the Session Judge .. .. .. .. .. .. .. | iv. | 366 |
| Day-labourers on the public roads are not private servants, and their conviction and sentence as such, under Clauses 2 and 3 Section 18 Regulation XII. of 1827, cannot therefore be upheld. | iv. | 511 |
| *See* also "Servants." | | |
| To send up remarks to the Sudder Court, deprecating the mitigation of a sentence, is irregular .. .. .. .. .. | iv. | 580 |

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| In reference to a Session Judge's observation on the frequent reversal and alteration of his sentences, the Court remark that the Session Judge is himself responsible for the errors to which alone these orders are to be attributed .. .. .. .. | iv. | 580 |
| Noticed instance in which, in a case of 'gang robbery, attended with murder,' a capital sentence should have been recorded .. | iv. | 662 |
| Noticed a Session Judge's omission to show what sentence was passed on a prisoner who, in the Session Judge's return, is found to have been sentenced to twelve months' imprisonment with hard labour .. .. .. .. .. .. .. | iv. | 804 |
| A prisoner who was convicted of receiving stolen property should have had a sentence, if only a nominal sentence, passed upon him .. .. .. .. .. .. .. .. .. | iv. | 804 |
| Two persons were sentenced, for infringement of the provisions of Act XI. of 1835, regarding the press, to—one a fine of one hundred Rupees, or six months' imprisonment; the other to a fine of fifty Rupees, or ten months' imprisonment .. .. .. .. | iv. | 815–816 |
| A deaf and dumb woman, convicted of murder, appearing to have but little intellect, was sentenced to imprisonment for life .. | iv. | 837 |
| The Court cannot understand why a Session Judge reserved judgment after a protracted trial of three days.. .. .. | iv. | 853 |
| The unexpired portion of the sentence of a prisoner is, he being an old man, remitted by Government, at the recommendation of the Sudder .. .. .. .. .. .. .. .. | iv. | 992–994 |
| The regulation under which a punishment is awarded should be quoted in the record of the conviction and sentence .. .. | v. | 6 |
| Two boys, the elder of whom was only sixteen years of age, were sentenced each, as accomplices in 'gang robbery,' to one month's solitary confinement and twenty-five stripes .. .. .. | v. | 13 |
| The recommendation to release a prisoner under sentence of imprisonment for life, because infirm, and upwards of eighty years of age, is disapproved.. .. .. .. .. .. .. | v. | 20– 21 |
| A Magistrate, in correcting the alleged part of a Deputy Magistrate's decision, having done nothing contrary to substantial justice, the Court do not think it advisable to interfere .. | v. | 49 |
| Sanctioned, on reference, the enforcement of a penalty involving a longer period of imprisonment than a Magistrate has authority to adjudge as a sentence .. .. .. .. .. .. | v. | 86 |
| In cases of perjury, imprisonment, as well as fine, should be inflicted; the former falls upon the culprit himself, the latter may reach the suborner.. .. .. .. .. .. .. | v. | 115 |
| Merely because an offence may have been called by a wrong name, the Court will not, after the lapse of so much time, interfere .. | v. | 148 |
| As Section 40 Regulation XIV. of 1827 and Act XIII. of 1850 sanction flogging, there is no cause for interfering with the sentence of a Magistrate awarding flogging in a case of embezzlement and felonious theft .. .. .. .. .. .. | v. | 228 |
| The sentence passed on certain prisoners convicted of 'riot and breach of the peace,' is mitigated, on account of the unjustifiable act of the Police having been the existing cause of the disturbance .. .. .. .. .. .. .. .. | v. | 242 |
| More exactness should have been observed before a prisoner was charged with, convicted of, and sentenced for, perjury, his conviction of which is annulled .. .. .. .. .. | v. | 266–267 |
| Two years' imprisonment with hard labour is considered a very light sentence for an old offender convicted of 'robbery, with force, by night' .. .. .. .. .. .. .. .. | v. | 322 |
| The unexpired portion of the sentence of an old and infirm female prisoner is remitted by Government, at the recommendation of the Sudder .. .. .. .. .. .. .. .. | v. | 337–339 |

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| A prisoner had been in jail for attempt to rob, and was in custody on a charge of receiving stolen property when he tried to escape. For receiving stolen property he was sentenced to only three months imprisonment; but for the attempt (for it was little more than an attempt) to escape, he was adjudged nine months' imprisonment—a sentence which the Sudder Court, considering too severe, reduced to one day's imprisonment .. .. .. | v. | 358-359 |
| The sentence passed upon fifty-seven prisoners convicted of 'riot and breach of the peace' is, though not considered too severe, mitigated by Government, who think that the general pardon recommended by the Sudder to all but the ring-leaders would be liable to misapprehension .. .. .. .. .. | v. | 376-377 |
| Noticed the incorrect wording of a sentence passed on a prisoner by the Session Judge .. .. .. .. .. .. | v. | 379 |
| In the case of a person charged with perjury, in having, when desirous to sue as a pauper, sworn to a false schedule, the Court would have been prepared to confirm a sentence heavier than that of two months' imprisonment with hard labour .. | v. | |
| A sentence of solitary confinement for fraud is remitted, solitary imprisonment not being one of the punishments prescribed for this offence by Section 40 Regulation XIV. of 1827 .. .. | v. | |
| The precipitancy of an individual having led him into a dilemma which, had he waited, as his suspicions should have led him to have done, would not have happened, induced the Court to reduce the sentence upon those who had conspired against him to a fine of one Rupee, or imprisonment for one month .. | v. | |
| The conviction and sentence of a prisoner charged with 'issuing money, knowing it to be base and unlawfully coined,' were annulled, the evidence of the giver and receiver clearly showing that the square piece of bullion proffered and received was not regarded nor designed to form part of the currency of India, but was lodged as a deposit, to be resumed on the payment of rupees. | v. | 552 |
| The conviction and sentence of four prisoners charged with 'gang robbery' are annulled, as resting solely upon their own confessions, and the evidence against them, which is part and parcel of those confessions.. .. .. .. .. | v. | 558-560 |
| An order passed by a Session Judge upon a woman for interference and endeavouring to defeat the ends of justice by making signs to her brother, who was giving a full account before the Court of what took place in the case of murder of which he was accused, not to criminate himself further, is by the Sudder Court annulled, the Court considering the woman's conduct very natural and unblamable under the circumstances in which her brother was placed .. .. .. .. .. | v. | 564-568 |
| The conviction of, and sentence passed upon, a party for the use of an obliterated postage stamp are annulled, the use of an obliterated postage stamp not being penal under Section 36 Act XVII. of 1854 .. .. .. .. .. .. .. | v. | 577 |
| Imprisonment without labour for one month was too lenient a sentence to adjudge a prisoner for culpable homicide, though he had been already in custody for two months .. .. .. .. | v. | 613 |
| If a Magistrate commit a British subject charged with an offence committed in foreign territory, the Session Judge must try the case, and if the charge be proved, must sentence for it, for the offence is penal under Section 2 of Act I. of 1849 .. .. | v. | 626-627 |
| A Magistrate who sentenced, under Act XXX. of 1841, to a month's imprisonment, a party charged with 'obstructing the course of public justice' in another Court by tampering with the evidence of a witness, could never have read the Act referred to when he tried the case, or passed the sentence, neither of which the Act in | | |

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| question contemplates nor sanctions. The whole proceeding, conviction, and sentence, must be annulled as illegal .. .. .. | v. | 680 |
| There being no punishment provided for harbouring, or receiving, a stolen child under Clause 2 Section 36 Regulation XIV. of 1827, and a woman sentenced for child-stealing being guilty to the extent only of harbouring, or receiving, the sentence passed upon her must, it is considered, be annulled .. .. .. .. | v. | 807–808 |
| A prisoner, the sentence upon whom the Sudder Court annulled, is remanded to be tried upon the second count, yet undisposed of by the Session Judge, of receiving a child, knowing it to be stolen, and so offending against the law of her faith .. .. | v. | 807–808 |
| Two prisoners, under sentence in the fort of Poorandhur, finding the door of their apartment open, and the guard asleep or absent, left the place. The Court, holding that this was not an escape from custody, inasmuch as no restraint was broken through, annulled the punishment awarded for the act.. .. | vi. | 9 |
| Noticed instance in which old and hardened offenders have been sentenced to long periods of imprisonment, instead of being, as they should have been, transported .. .. .. .. | vi. | 32 |
| A frequent offender, being convicted of 'robbery, without force, by night,' is by the Sudder Court directed to receive fifty stripes, and to undergo three months solitary confinement, and three months imprisonment with hard labour .. .. .. | vi. | 40 |
| Altering a sentence from a long period of hard labour to a shorter one of solitary confinement is held to be a mitigation, not commutation, of a sentence .. .. .. .. .. | vi. | 40 |
| Noticed instance in which, by recording the statement of prisoner on his admission only, instead of proving it, the case had to be returned for correction, and the prisoner was thus kept confined for three months under a sentence of death, which, until the case was complete, the Court could not confirm.. .. .. | vi. | 63 |
| Government decline commuting the sentence of death passed upon a prisoner for a most deliberate and cold-blooded murder, because he lay under this sentence for three months while certain technical defects in the proceedings were being corrected .. | vi. | 67–68 |
| A boy of sixteen was seen, in a state of nudity, running after his illegitimate sister (aged ten) and assailing her with stones, with which he there and then despatched her. No valid reasons for the crime appeared; nor in confessing did the prisoner assign any cause whatever for the attack, which attendant circumstances only lead to think originated in the resistance of the young girl to the incestuous attempts of her brother. Convicted of murder, the prisoner was sentenced to be hung—a sentence which the Sudder Court affirmed but which Government, on the submission of the case, commuted to transportation for life.. .. .. | vi. | 129–132 |
| Government remit, at the recommendation of the Sudder, the sentence of a prisoner suffering from black leprosy.. .. .. | vi. | 195–196 |
| A boy, sentenced to transportation for life for the murder of his mother's paramour, was by the Sudder adjudged to receive twenty-five stripes, and to suffer solitary imprisonment for one month .. .. .. .. .. .. .. .. | vi. | 231 |
| A man having deliberately killed another, under the excitement, it was thought, of recent evidence of his having had criminal intercourse with his wife, is sentenced to death, but recommended to mercy, and by the Sudder Court adjudged transportation for life. | vi. | 293–294 |
| A prisoner (aged twenty-eight) convicted of a rape upon his sister (aged ten) is sentenced by the Sudder to eight years' imprisonment—namely, six months' solitary confinement followed by seven years' imprisonment with hard labour, and at the expiration of that period, with six other months' of solitary confinement .. | vi. | 298 |

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| Three copper-pots, said to be stolen from a house at night, are not recovered. Two women, who just awoke from the sleep, concur in recognising the thief as a neighbour, and his dress a *bare head and dhotur;* upon this evidence, the Deputy Magistrate sentences the prisoner, who, he observes, 'looks chop-fallen,' to one year's imprisonment with hard labour. The Sudder annul the conviction and sentence .. .. .. .. .. | vi. | 319-320 |
| A prisoner charged with robbery is by the Sudder held guilty of theft only, but being an old offender, is sentenced to receive twenty-five lashes, and to suffer six months' imprisonment with hard labour .. .. .. .. .. .. .. | vi. | 403 |
| It is unnecessary, except when passing sentence, to record in detail how it is to be carried out .. .. .. .. .. | vi. | 405 |
| A boy of sixteen having, in rough sport, thrown another boy into a well in which he was drowned, was by the Sessions Court convicted of culpable homicide, and sentenced to three months solitary confinement. The Sudder, however, finding the homicide was unintentionally committed, and the punishment the prisoner had already undergone (two months' solitary confinement) sufficient for the offence he had committed, annul the conviction of the Session Judge, and order the prisoner's discharge from jail .. .. .. .. .. .. | v | |
| A woman, arraigned for attempt to take her husband's life, confessing that she cut his throat, but not with intent to kill, is sentenced to transportation for life, but being recommended, at the same time, to mercy, is, on account of her youth, she being but fifteen years of age, adjudged by the Sudder six months' solitary confinement .. .. .. .. .. .. | vi. | 481 |
| A mitigated sentence of imprisonment with hard labour for two years is awarded in a case of culpable homicide, the assault being sudden, unpremeditated, in part provoked, and made with the sticks in ordinary use .. .. .. .. .. | vi. | 511 |
| The Sudder mitigate to ten days' imprisonment the punishment of a mother who committed perjury in defence of her son .. .. .. .. .. .. .. .. .. | vi. | 537 |
| A sister convicted of perjury uttered to defend her brother, the sentence passed upon her is mitigated by the Sudder to ten days' imprisonment.. .. .. .. .. .. .. | vi. | 540 |
| A Session Judge having awarded imprisonment in place of awarding a fine, commutable to imprisonment in default, the case is remanded, in order that a legal sentence of fine, or, in default, imprisonment, may be passed .. .. .. .. .. | vi. | 544 |
| *See* also "Session Judge." | | |
| A Magistrate having annulled the sentence of an Assistant, and re-tried and re-sentenced a prisoner in place of committing him to the Sessions Court for trial, the whole proceeding is, being illegal, annulled .. .. .. .. .. .. .. | vi. | 597 |
| The endorsement by a Magistrate on the warrant of a prisoner, ordering the prisoner, on the expiration of his sentence, to find security, or undergo, in default, a further imprisonment of seventeen months, is improper. The Magistrate ought to confirm his Assistant's sentence of imprisonment, and request that the prisoner may be sent to him at its expiration, in order to precautionary measures being adopted .. .. .. .. | vi. | 687 |
| All sentences above three months passed by an Assistant Magistrate shall be first referred to the Magistrate for confirmation .. .. .. .. .. .. .. | vi. | 806 |
| A man, beating a woman of low vital powers, and thereby accelerating her death, receives a mitigated sentence of imprisonment with hard labour for one year .. .. .. .. | vi. | 816 |

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| A man, convicted of culpable homicide for killing his wife, and desperately wounding her paramour, caught *allegedly* in the very act of adultery, receives a mitigated sentence of solitary imprisonment for one month .. .. .. .. .. | vi. | 830 |
| If a Session Judge were not prepared to take the responsibility upon himself of not inflicting it, he should have carried out a sentence of corporal punishment on the very day it was awarded .. .. .. .. .. .. .. .. | vi. | 832 |
| The sentence passed on certain prisoners in a case of murder is mitigated by Government, at the recommendation of the Sudder Court .. .. .. .. .. .. .. .. | vi. | 867–868 |
| The sentence of tranportation for life passed upon a prisoner, aged twenty, for a murderous assault, in which life was lost, is, on account of his youth, and the punishment of his uncle and brothers, mitigated by Government, at the recommendation of the Sudder Court, to three years' imprisonment with hard labour, and solitary confinement for six months .. .. .. | vi. | 910 |
| The sentence of a person held wrongly convicted of fraud is annulled, and the fine is directed to be returned.. .. .. | vii. | 26 |
| The conviction and sentence in a case of 'breach of religious law' are annulled, the Hindoo law officer not having been referred to, as required by Section 9 Regulation VIII. of 1831.. .. | vii. | 27–28 |
| A party, having preferred charges against a Mahalkuree, was bound over to prosecute, and being absent on one occasion, was adjudged to pay a penalty of seven hundred Rupees. This, considering the long period over which the inquiry extended, and the frequent adjournments, the Court held excessive, and reduced to one hundred Rupees .. .. .. .. .. .. | vii. | 42 |
| The sentence passed, and fines imposed, on certain parties for neglecting to erect field-boundary marks are annulled, the system of forced labour, under which they were required and refused to work, being altogether illegal.. .. .. .. | vii. | 138–145 |
| The Superintendent of Thuggee is called upon to state whether the information obtained from a prisoner has been of such a nature as to warrant his conditional release and transfer before the expiration of his punishment; or whether the ends of justice would not have been better served by his remaining to undergo in jail the full period of imprisonment to which he had been sentenced .. .. .. .. .. .. .. | vii. | 148–149 |
| Ditto ditto ditto ditto .. | vii. | 385–386 |
| Observing that a prisoner, having been before imprisoned, does not make the very disproportionate sentence passed upon him a suitable one for the theft, from an 'ota,' or terrace, of a cloth of the value of eight annas, the Sudder mitigate the sentence to three months solitary confinement and fifty stripes, to be inflicted (the flogging) in two instalments as before ordered .. .. .. .. .. .. .. .. | vii. | 237–238 |
| A prisoner convicted of offences committed in the villages of Akulcote, and tried by the Magistrate and his Assistants for an offence committed beyond their jurisdiction, and sentenced by a magisterial warrant to imprisonment in the jail of Sholapore, is ordered to be released as illegally confined .. .. .. | vii. | 274 |
| A party tried for offering a bribe of one hundred Rupees to a custom-house officer was sentenced by a Deputy Magistrate to a fine of two hundred Rupees, or four months' imprisonment. The Sudder, finding the custom-house officer had unjustly and improperly detained the boat, and was not, therefore, acting in a manner consistent with his duty, annulled the conviction and punishment to which, in such a case, the injured boatman was not amenable .. .. .. .. .. .. .. | vii. | 320 |

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| The Court see no ground for commuting to imprisonment without labour the punishment of a female convict sentenced for murder to imprisonment with hard labour for life; for, as the Civil Surgeon reports, she is in good health, though getting old. | vii. | 383 |
| Noticed instance in which a prisoner having failed to appeal, and his sentence having expired, no redress could be given him but direction to return the fine, should it have been paid .. .. | vii. | 549 |
| The sentence of a man convicted of 'culpable homicide' for 'culpable negligence,' in driving over a woman and child, of whom the former died, was sentenced to twelve months' imprisonment, which the Court mitigated to three months' imprisonment with hard labour, and a fine of fifty Rupees, or, in default, three months' additional imprisonment with hard labour. The fine to be given, if paid, to the family of the deceased .. .. | vii. | 609 |
| A 'punchayet' having been appointed to report on certain boundaries, their opinion ought, but for some strong reasons, to have been taken in preference to the uncertain testimony of neighbouring cultivators; and as upon the evidence of the latter in opposition to that of the former, a party has been convicted and sentenced for fraud, the conviction and sentence are by the Sudder Court annulled .. .. .. .. .. .. | viii | |
| Government, agreeing with the Commissioner of Police, direct the immediate release of a Policeman convicted of culpable homicide, and who, the Government consider, merited reward rather than punishment, and, at all events, direct that he shall not be deprived of his pay during the period of his incarceration .. | viii. | |
| The sentence of a prisoner sentenced by an oversight to one year and one week is, on a representation of the error, reduced by the Sudder one week .. .. .. .. .. .. .. | viii. | 24 |
| If a Session Judge be of opinion that, by observing a circular, he is defeating justice, he is bound to set the circular aside, and to sentence the prisoner according to law .. .. .. .. | viii. | 45 |
| A Shastree's illness is no reason for dispensing with his exposition in a case in which his exposition, as a law officer, is required, and being ill, the Magistrate should have waited for his recovery before proceeding to pass sentence on the prisoner .. .. | viii. | 65 |
| A Magistrate's sentence is annulled in a case in which he ought to have referred, but did not, for opinion to the Shastree, to whom he was requested to refer the question, and, upon his exposition, to pass a legal sentence in the case .. .. .. | viii. | 65 |
| A Magistrate ought to give a copy of the sentence, or order, in every case to a prisoner, as without that an appeal cannot be received .. .. .. .. .. .. .. .. | viii. | 178 |
| A prisoner convicted of 'culpable homicide,' in causing the death of his wife by throwing his shoes at her, receives a mitigated sentence of six months' imprisonment with hard labour.. .. | viii. | 231 |
| A Havildar of peons, not being a person entrusted with the charge or collection of public money, is therefore not one who can be convicted of receiving a present, and sentenced under Clause 2 Section 11 Regulation XVI. of 1827, even with the extension of Regulation V. of 1833 .. .. .. .. .. .. | viii | 316–317 |
| A Session Judge should call for proceedings at once in cases wherein he sees that the sentence is manifestly illegal.. .. | viii. | 355 |
| No sentence of imprisonment for more than seven years can be executed unless the Sudder have confirmed it .. .. .. | viii. | 487 |
| The Sudder mitigate to ten years' imprisonment with hard labour the sentence passed upon a prisoner, who, acquitting on one count of a charge, they find him guilty on another, and sentence to the heaviest punishment that can be inflicted for the offence .. .. .. .. .. .. .. .. | viii. | 486–487 |

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| The Court reduce the fines imposed upon two parties in consideration of the heavy losses they have sustained by their suspension from office and emoluments for eighteen months .. .. | viii. | 570-571 |
| A sentence of solitary imprisonment for 'receiving stolen property' is illegal .. .. .. .. .. .. .. .. | viii. | 573 |
| Holding it but natural in a man to conceal the guilt of his wife, of whose acts of robbery and murder he was not, until after they had been committed, cognisant, the Sudder annul the sentence of the Sessions Court, and order the prisoner's release .. .. | viii. | 568 |
| Noticed instance in which a prisoner, charged, tried, and convicted under one name, is sentenced under another .. .. .. | viii. | 651 |
| Noticed a Magistrate's omission to record in English, and his not recording distinctly in Murathee, the conviction and sentence of a prisoner .. .. .. .. .. .. .. | viii. | 687 |
| A Chinese convict, under sentence of transportation for fourteen years from Singapore, having attempted to commit murder on a fellow-prisoner in jail, is super-sentenced to transportation for life, and directed by Government to be sent under that sentence to Aden .. .. .. .. .. .. .. .. | vii. | 711-713 |
| Held that there was nothing illegal, and that it was competent in a Magistrate, having annulled the sentence of the Deputy Magistrate upon the first count, to direct him to proceed upon the second count of the charge .. .. .. .. .. | ix. | 47 |
| Noticed that the sentence (a fine of five hundred Rupees, or in default, imprisonment with hard labour for six months) appears light in a case of perjury, in which, though the person against whom the prisoner appeared was his brother, still he was on his trial for the murder of another brother .. .. .. .. | ix. | 49 |
| A Session Judge has no authority, under Section 3 Regulation VIII. of 1831, to order a Magistrate to mitigate his sentence; and a Magistrate is not authorised to yield compliance to such a requisition .. .. .. .. .. .. .. | ix. | 72 |
| A prisoner having been tried by incompetent authority for the offence of 'culpable homicide,' with which a prisoner cannot be legally charged, the sentence is annulled, and the prisoner is to be committed to take his trial before the Sessions Court for 'murder' .. .. .. .. .. .. .. .. | ix. | 73 |
| Noticed in a case of conspiracy, that, as the prisoners were not convicted of any of the offences detailed in Act XVI. of 1850, the application of that Act to the case was improper, and the order under the Act is therefore annulled, and the fine to be restored .. .. .. .. .. .. .. .. | ix. | 93 |
| A Police Patel charged with, and convicted of, 'misconduct in his Police duties,' is held by the Court to be guilty of no act of moral turpitude, but to have acted under a mistaken view of his Police duties, which might have been viewed departmentally. The conviction and sentence are accordingly annulled .. .. | ix. | 106 |
| A fine of thirty Rupees, or imprisonment with hard labour for one month, being considered a sentence unnecessarily severe to pass for petty theft upon a prisoner, who has been punished also with dismissal from his employment of Tannah Shroff, the Court reduce the fine to five Rupees .. .. .. .. .. | ix. | 183 |
| The Magistrate ought, when he annulled the sentence in a case of 'robbery, with force, by day,' to have committed the accused for trial to the Sessions, as pointed out to him by the Deputy Magistrate .. .. .. .. .. .. .. .. | ix. | 196 |
| The Court, though they abstain from disturbing the conviction, think that, in this case (resistance, with force, to legal process), a fine would have been a more appropriate punishment than imprisonment with hard labour .. .. .. .. .. | ix. | 239 |

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| Noticed a Session Judge's hesitating to pass sentence in a case of cool and deliberate murder, and then, in place of passing a capital sentence, recording one of secondary punishment, to justify him in passing which, there is nothing visible on the record .. .. | ix. | 267–268 |
| A prisoner being blind, the sentence passed upon her of transportation for life, is commuted to imprisonment for life with hard labour .. .. .. .. .. .. .. | ix. | 275 |
| Transportation for life appears a sentence lenient for the manner in which the murder of a woman was effected by her husband .. | ix. | 381 |
| Noticed another instance (a man murdering his wife) in which the Session Judge of Dharwar should have, but has not, passed a capital sentence .. .. .. .. .. .. | ix. | 390–391 |
| Eighteen months imprisonment with hard labour is too slight a punishment for a man convicted of committing rape on a girl of seven years of age, notwithstanding the child is being brought up to prostitution .. .. .. .. .. .. .. | ix. | |
| A sentence of imprisonment with hard labour for eighteen months was most lenient for perjury committed in a case of murder .. | ix. | |
| Noticed instance in which a capital sentence was passed on one prisoner only, whereas it should have been passed on all of the three prisoners convicted of murder, committed with a view to conceal their fraudulent appropriation of money .. .. | ix. | |
| A man, convicted of 'rape,' being afterwards found to be, as he had asserted, blind, and it being seen that the evidence against him was chiefly that of the young girl assailed, doubts of his having committed the outrage are entertained, and the conviction and sentence are therefore by the Sudder Court annulled. | ix. | 476 |
| Sentences, confirmed by a Magistrate, on prisoners undergoing a longer imprisonment than the full penal jurisdiction an Assistant Magistrate is competent to adjudge, are annulled, but the prisoners directed, on the expiration of their former sentence, to be returned to the Magistrate for trial on the fresh charges, or for release, as to the Magistrate might seem proper .. .. | ix. | 481 |
| An Acting Magistrate is informed that, a sentence not being his own, but merely a modification of one passed by his Deputy, he need not have issued a fresh warrant, but have endorsed upon that by his Deputy how much he confirmed, and how much he disallowed of it .. .. .. .. .. .. .. | ix. | 492 |
| Government remit, at the recommendation of the Inspector General of Jails, the remainder of the sentence (eight months) of a prisoner, on account of his bad state of health.. .. .. | ix. | 493–494 |
| Reduced unexpired portion of a sentence passed by a Deputy Magistrate (a Brahmin) on the prisoner (a Mhar) .. .. | ix. | 591 |
| *See* also " Magistrate." | | |
| A prisoner convicted of two offences :—first, for the 'issue of base and unlawfully coined money;' secondly, for 'unlawful coining,' —was sentenced (and the sentence was not excessive) to imprisonment with hard labour for five years; but as Section 18, and Clause 2 of Section 19 Regulation XIV. of 1827, are quoted as authority for the sentence, and the prisoner has been convicted under that clause for the issue of base money, and as the offence is punishable under that clause, a sentence of fine, and not of unconditional punishment, is ordered, the Court annul the sentence, and request the Assistant Session Judge may be directed to pass a legal sentence .. .. .. .. .. | ix. | 623 |
| The Court annul, on the reference of a Magistrate, so much of the sentence of a Deputy Magistrate which exceeds the limit prescribed in Section 39 Regulation XIV. of 1827 .. .. | x. | 51 |
| *See* also " Magistrate." | | |

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| Noticed the most discreditable manner in which a case has been prepared by the Deputy Magistrate, and his not sentencing, as he should have done, the prisoner to hard labour .. .. | x. | 62 |
| The fine in a case of perjury is remitted, as the sentence is heavy, and the fine, in this instance, falls on no other than the prisoner, who revenge and lucre alone instigated to commit the crime. | x. | 66- 67 |
| Circular No. 32, of the 18th May 1830, shows that confirmation is only required when the period of imprisonment is increased, not when a sentence is made heavier by stripes, as that is a power the Session Judges possess for the preservation of jail discipline .. .. .. .. .. .. .. .. | x. | 70 |
| Noticed instance in which a fine of ten Rupees, or fourteen days imprisonment with hard labour, would have been sufficient punishment for an assault.. .. .. .. .. .. | x. | 103 |
| A sentence of imprisonment without hard labour, passed for the offence of making use of the public money, not fulfilling the requirements of the regulation quoted in support of the case, was returned that the Assistant Session Judge might pass a legal sentence in conformity with Clause 2 Section 14 Regulation XVI. of 1827, which requires the imposition of a fine, in addition to imprisonment, for the offences to which it relates .. | x. | 122–123 |
| Six months of the imprisonment of a prisoner, properly convicted of perjury, is remitted on account of his great age—sixty-five years .. .. .. .. .. .. .. .. | x. | 142 |
| The sentence of five years imprisonment with hard labour on one, and three years imprisonment with hard labour on another prisoner, are considered very inadequate for a cold-blooded attempt at murder and robbery, deliberately carried out .. | x. | 148 |
| A sentence of five years imprisonment with hard labour, and six months solitary confinement, did not require the confirmation of the Sudder Court .. .. .. .. .. .. .. | x. | 161 |
| A woman, unduly exposing and deserting an infant of eight days old, and the baby dying, is convicted of 'culpable homicide,' and sentenced by the Sudder to a mitigated punishment of three months solitary confinement .. .. .. .. .. | x. | 161 |
| The sentence passed on a prisoner convicted of 'culpable homicide' is reduced to one year's imprisonment with hard labour, and two months solitary confinement.. .. .. .. .. | x. | 210 |
| A sentence passed on a party for 'embezzlement of public money' is, the offence having occurred in newly acquired districts, mitigated to six months imprisonment without hard labour, and a fine of fifty Rupees .. .. .. .. .. .. | x. | 232 |
| The flogging ordered in a case of 'receiving stolen property' is remitted .. .. .. .. .. .. .. .. | x. | 248 |
| A case of 'gang robbery, with force, by day,' should have been tried by the Session Judge, and the prisoners sentenced to transportation for life .. .. .. .. .. .. .. | x. | 259 |
| The sentence on a prisoner for 'fraud' is mitigated on account of his great age—seventy years .. .. .. .. .. | x. | 278 |
| The sentence on a Police Patel for 'extortion' is mitigated by the Sudder to six months imprisonment without labour .. .. | x. | 297 |
| The conviction of, and sentence passed on, a Potdar for making use of the public money are annulled, and the prisoner ordered to be discharged .. .. .. .. .. .. .. .. | x. | 343 |
| The reason assigned by an Acting Session Judge for not passing a capital sentence on a man for the murder of a woman, because she was esteemed a witch, is inadmissible .. .. .. | x. | 356 |
| Cited instances in Khandeish and the Konkun, in which parties had been sentenced to death for the murder of parties reputed to be sorcerers or witches.. .. .. .. .. .. | x. | 356–357 |

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| A sentence passed upon a prisoner for making undue exactions, not having included fine, is annulled, and the Magistrate directed to pass a sentence conformable with the requirements of the regulation .. .. .. .. .. .. .. .. | x. | 378 |
| The provocation to a serious assault not having been sufficiently weighed in awarding punishment, the Sudder remit all the solitary imprisonment and stripes, and imprisonment with hard labour above one year .. .. .. .. .. | x. | 413 |
| A sentence of flogging is annulled, being awarded by a Second Assistant Magistrate, who, not having the full powers of a Magistrate, is not competent to order the infliction of flogging.. | x. | 472 |
| Noticed a case of 'adultery,' in which a heavier sentence might have been passed than the nominal fine of one pie, commutable to one day's imprisonment without labour .. .. .. .. | x. | 595 |
| A Police Patel, convicted by the Sessions Court of 'perjury,' being considered by the Sudder guilty of 'misconduct' only, the conviction and sentence are annulled, and the fine directed to be restored .. .. .. .. .. .. .. .. | x. | |
| The conviction of, and sentence passed upon, a prisoner for 'perjury' are annulled, the evidence against him being merely that of the plaintiff and of the person who wrote the bond .. .. .. | x. | |
| The sentence passed upon a District Police Officer for 'abuse of authority, extortion, and misconduct as a Police officer,' is mitigated to one year's imprisonment, and a fine of three thousand Rupees, or further imprisonment for two years .. .. | x. | |
| *See* also "Decision," "Judgment," "Order," "Punishment." | | |
| Sentence of expulsion annulled, | | |
| Dhooloo bin Baboo .. .. .. .. .. .. | x. | 710 |
| Sentry, | | |
| The misconduct of a private of the Kolee Police Force, in falling asleep on his post while sentry over the Magistrate's jail, was visited with one month's imprisonment, and dismissal from the service .. .. .. .. .. .. .. .. | iv. | 278–281 |
| Sepoys, | | |
| Mutinous behaviour as sepoys of the Bheel Corps, | | |
| Ookha wulud Newjee, and five others .. .. .. .. | iii. | 261–263 |
| Four sepoys of the Ahmednuggur Police Force are convicted of conspiring with one of a gang of robbers to implicate innocent persons in the crime by placing in their houses articles stolen on the occasion and pretending to find them there .. .. | iii. | 595 |
| Serious Assault.—*See* "Assault." | | |
| Servants, | | |
| Misconducts as servants, | | |
| Luxumon wulud Ramjee, and two others .. .. .. | iv. | 509–511 |
| Clauses 2 and 3 Section 18 Regulation XII. of 1827 allow cognisance to be taken of such misconduct on the part of private servants as constitute a departure from proper demeanour, or a breach of duty; but a Deputy Magistrate having applied this rule to day-labourers working on the public roads, the conviction and sentence of these people are annulled, as day-labourers on public roads are not private servants .. .. .. .. | iv. | 511 |
| The entertainment of foreigners as servants by the natives of Dharwar is prohibited, without permission from the Magistrate, his Assistants, or the Superintendent of Police .. .. .. | x. | 84– 85 |
| Service, | | |
| The word 'service' is quite indefinite as descriptive of a person's calling .. .. .. .. .. .. .. .. | i. | 21 |
| When a witness in his deposition states himself in, or as discharging 'service,' the particular class of service should be specified.. | ii. | 112 |

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| A party charged with receiving a present as a Native revenue officer could only deny his guilt, and appeal to very long service, which, in such a case, should have been ascertained and inquired into through the Mamlutdar, without whose evidence, indeed, one of the exhibits in the case ought not to have been recorded.. | iii. | 493 |
| A report is requested from the Magistrate upon the allegations of certain prisoners in respect to their long confinement by the Foujdar, and the service extorted from them .. .. .. | iv. | 11 |
| Seshgeer Row Soobajee.—Abuse of authority; receiving a present while employed in the revenue establishment; and extortion and misconduct as a Police officer.. .. .. .. .. .. | x. | 667–680 |
| Session Judge, | | |
| The defence of a prisoner should have been made more clear in the English proceedings of a Session Judge .. .. .. | i. | 13 |
| A Session Judge should have been especially careful in summing up in a case in which so much depended on the testimony of the Police .. .. .. .. .. .. .. .. | i. | 16 |
| The substance of a prisoner's examination should have been given in the English proceedings of the Session Judge .. .. | i. | 32 |
| Confession extorted by beating is set aside as evidence by the Sessions Court .. .. .. .. .. .. .. | i. | 39–40 |
| Where a bad feeling existed against a prisoner, it would have been better if the charge had been left to be dealt with by the Sessions Court.. .. .. .. .. .. .. .. | i. | 42 |
| Property required to be proved in a Sessions Court should not be transferred from one Policeman to another, as it endangers identification .. .. .. .. .. .. .. | i. | 79 |
| A Session Judge has not the power to annul a security bond to the prejudice of the accused .. .. .. .. .. | i. | 88 |
| Noticed the illegal procedure of a Session Judge in ordering into confinement, before the termination of a trial, certain accused persons while on bail on a bond stipulating for their enlargement until the close of the proceedings .. .. .. .. | i. | 87–89 |
| A Police Karkoon, committed for trial to the Sessions Court for abuse of authority, should have been charged with, and tried by the Magistrate for, assault, the offence of which he was accused not having been committed in the discharge, or course, of official duties .. .. .. .. .. .. .. .. | i. | 101 |
| Noticed in a trial for 'culpable homicide,' that the Session Judge should have made particular inquiry into the character and conduct of the prisoner, considering that the evidence for the prosecution was mainly confined to the relatives of the deceased. .. .. .. .. .. .. .. .. | i. | 103 |
| Noticed that a Session Judge should have recorded more fully his reasons for dissenting from the conviction of a prisoner, and that those he had adduced did not meet the case in any way .. .. .. .. .. .. .. .. .. | i. | 105–106 |
| So grave an offence as destruction of a dwelling-house by fire, committed in the night-time, deserved a heavier penalty than that awarded by the Session Judge .. .. .. .. | i. | 200 |
| The Session Judge has not recorded in what respect he considered the evidence defective .. .. .. .. .. | i. | 213 |
| In communicating his finding to the Magistrate, the Session Judge should have communicated his observations also, whether of concurrence or dissent .. .. .. .. .. .. | i. | 242 |
| A Session Judge should, in dissenting from the opinion pronounced by his Assistant, have made known his opinion to that officer and to the Acting Magistrate, instead of sending for his information a finding which, in that stage of the case, he must have disapproved of .. .. .. .. .. .. .. | i. | 242–243 |

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| If a Session Judge coincided in opinion with his Assistant that a charge for conspiracy, as defined in the regulations, was not contained in the indictment even, but yet, that there was something tangible to allege against the accused, he should have pointed out what that was, and repaired the very grave omission of the Sessions Court in not pointing it out before the trial commenced .. .. .. .. .. .. .. .. | i. | 242 |
| Noticed in a trial for assault, that the record of the Session Judge does not contain the several indications of the guilt of the prisoner which appear in the proceedings of the Assistant Magistrate. | i. | 247 |
| Requested from a Session Judge report as to what he has done in regard to the recorded supineness of a Moonsiff.. .. .. | i. | 327 |
| The arguments of a Session Judge for the mitigation of a secondary punishment for murder are not considered valid .. .. | i. | 333 |
| The Session Judge should have had evidence on record to show that certain stains to which he alludes, in his letter handing up the case, as being on the clothes of the prisoner charged with murder, were not blood-spots .. .. .. .. .. | i. | |
| A Session Judge too readily, and upon insufficient evidence, or no inquiry, assumes that a woman was murdered because she was esteemed a witch, and too hastily advances this presumption as an extenuation, if such it ought to be, of such a heinous crime as murder .. .. .. .. .. .. .. .. | i | |
| Assistant Session Judges are empowered, under Act IX. of 1838, to award a fine, or part of it, in compensation to the party injured.. .. .. .. .. .. .. .. .. | i | |
| Observed in a trial for rape, that the Session Judge, perhaps from a feeling of delicacy, never appears to go sufficiently into the details .. .. .. .. .. .. .. .. | i | |
| Session Judges are requested to postpone all feelings of delicacy to a sense of justice and of their duty, and on no account to refrain from minute inquiry whenever they are unhappily called upon to try a charge of rape .. .. .. .. .. | i. | 374 |
| Noticed that a Session Judge in his finding makes no allusion to the testimony of the woman mentioned by a witness .. .. | i. | 374 |
| Opposite to the word 'theft,' in the register of petitions of a Session Judge, eight months imprisonment, a sentence heavier than the regulations provide for that offence, is entered, and if the offence were so designated in the warrant, the Session Judge should have called for the proceedings, and have taken measures to have it corrected .. .. .. .. .. | i. | 425 |
| A Session Judge is cautioned against thinking that, because something has been proved in one case before the Court, it is necessary to prove the same point in another case .. .. | i. | 436 |
| The postponement of a trial for murder for twenty-two days, in order that a Session Judge might, as he records, 'review the evidence and consider his finding,' was exceedingly objectionable .. .. .. .. .. .. .. .. .. | i. | 443 |
| When prisoners are re-committed on a new charge at the instance of the Sessions Court, the proceedings should show that the case has been regularly brought on, and the decision of the Session Judge to that effect duly communicated to the accused.. | i. | 451 |
| Noticed the undue censure of a Session Judge upon the Police, their conduct, the Court consider, being most praiseworthy .. | i. | 492 |
| Noticed a Session Judge's neglect to comment on the undue strictures of his Assistant on the Police .. .. .. .. | i. | 492 |
| In sending for a case from the Magistrate's department, the Session Judge should take it up at his earliest convenience .. | i. | 505 |
| A Magistrate is requested to examine and report on evidence omitted to be taken by a Session Judge .. .. .. .. | i. | 521 |

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| Noticed and commended the expeditious manner in which a case of 'fraud and forgery' was disposed of by the Sessions Court .. | i. | 548 |
| A prisoner's term of imprisonment having expired when he was re-apprehended, the sentence of the Session Judge, decreeing him to undergo the balance of punishment which he would have suffered had he not escaped, is illegal .. .. .. .. | i. | 598 |
| A charge of 'rape' should not have been tried and disposed of by the Deputy Magistrate, but the case should have been committed for trial to the Sessions Court .. .. .. .. | i. | 620 |
| Noticed in a trial for abortion, that several articles of a very offensive nature were laid before the Judge which need not have been produced upon the trial .. .. .. .. .. .. | i. | 648 |
| Noticed in a trial for murder, that the jury afforded no assistance, but, on the contrary, impeded, rather than aided, the Judge in conducting inquiry .. .. .. .. .. | i. | 673 |
| Noticed discrepancy between the finding of a Session Judge and the records of the evidence on which it purports to be based .. | ii. | 7- 8 |
| The various articles connected with a trial should not be returned to the Magistrate until the case has been finally decided by the Sessions Court .. .. .. .. .. .. .. | ii. | 8 |
| Noticed a second instance in the same Judge of long and unnecessary adjournment of a trial for the purpose of considering his finding .. .. .. .. .. .. .. | ii. | 13 |
| Noticed a Session Judge referring for opinion on a point of law in a case in which he had already given sentence.. .. .. | ii. | 27 |
| When thought necessary to refer a case on a point of law, Clause 2 Section 22 Regulation XIII. of 1827 should be observed, and the Sessions Court, stopping short of sentence, should forward the proceedings in that state for the opinion required .. .. | ii. | 27 |
| A Session Judge's attention is called to Clause 2 Section 37 Regulation XIII. of 1827, which very much lessens the Session Judge's labour in trying cases in which prisoners have pleaded guilty.. | ii. | 31 |
| A confession made before the Sessions Court did not require two or any witnesses for its authentication in that same court .. | ii. | 31 |
| The trial by the Deputy Magistrate having been disapproved by the Magistrate, he should have annulled the conviction, and himself have committed the case to the Sessions Court .. | ii. | 61 |
| A Session Judge finds fault with an Assistant Magistrate for not sending up witnesses, but does not himself send for and examine them. | ii. | 74 |
| Noticed in a trial for murder, the Session Judge having overlooked the great neglect of the Police in not having sent up the fisherman who found the corpse, and with whose evidence the Session Judge should not have dispensed.. .. .. .. .. | ii. | 74 |
| The persons who signed an inquest report being able to write, the Session Judge should have shown them their signatures, and on their recognition of them, should have proved the document, and not have read it over to them first, and then called on them to prove it .. .. .. .. .. .. .. | ii. | 74 |
| The finding of a Session Judge, recorded as expressing not his own opinion, which was adverse, but the opinion of the assessors, which was favourable to a prisoner, is, being illegal, annulled, and the Judge requested, after replacing the prisoner at the bar, to record a legal finding, the consequence of his own conviction, and report the result to the Court .. .. .. .. | ii. | 85 |
| Noticed the severity of the sentence of a Session Judge in a case of embezzlement, in which the attendant circumstances did not call for heavy punishment.. .. .. .. .. .. | ii. | 94 |
| A Session Judge should specify what particular 'service' is indicated, when a witness describes himself in his deposition as in or discharging 'service' .. .. .. .. .. | ii. | 112 |

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| A Session Judge is requested to communicate to the Magistrate his notice of the ill-conduct of a Tannah, or Police Karkoon .. | ii. | 112 |
| On proceeding to convict a prisoner, the Session Judge should recapitulate the charge on which he is finding the prisoner guilty .. .. .. .. .. .. .. .. | ii. | 117 |
| A Session Judge, erring in regard to what a prisoner has deposed, records that he disbelieves his statement, and yet assumes that the prisoner did that which he desposed he had done—slept at a certain Wany's on a certain night .. .. .. .. | ii. | 119 |
| The confession of the prisoner should have been proved by the Session Judge .. .. .. .. .. .. .. | ii. | 122 |
| The trials held by the Session Judge of Dharwar, though conducted seemingly with great care, are replete with too much hearsay, and objectionable otherwise for their long adjournments .. | ii. | |
| The Session Judge is requested to call the attention of the Magistrate to the record of his Assistant, showing a Police Patel to have been convicted of, and punished for, six charges of assault, and one of adultery, and to instruct the Magistrate that a man with such stigmas on his character ought not to have been allowed to continue for one day Police Patel of his village .. | ii. | |
| A statement, for the purpose of establishing an *alibi*, though not corroborated by the witnesses called to prove it, became evidence for the prosecution, and the Session Judge should have therefore proved it, and have examined the witnesses originally called for the defence in support of the prosecution .. | ii. | |
| Suggested to the Magistrate of Poona, whether, with reference to the return of the Session Judge of the Konkun, certain parties should not be prosecuted for 'conspiracy and perjury' .. .. | ii. | |
| Noticed that a Session Judge does not record what became of the prisoners and articles before the Court .. .. .. .. | ii. | 158 |
| Noticed disrespect to the Sessions Court, and disregard of the regulation by a Magistrate .. .. .. .. .. .. | ii. | 167-168 |
| Noticed on a trial for 'serious assault,' that the Assistant Session Judge should have recorded the witness's name, age, caste, profession, religion, &c. .. .. .. .. .. .. | ii. | 167 |
| Noticed on a trial for 'serious assault,' that the Assistant Session Judge does not record what becomes of the prisoners on the Court's adjournment, whereas an entry should have been made that they were remanded to the custody of the Nazir .. .. | ii. | 167 |
| It is very much to be desired that the Assistant Session Judge would abstain from recording any hearsay .. .. .. | ii. | 167 |
| Copies of the depositions of several witnesses, who depose, on oath, to the fact of the prisoners having been beaten by the Police, are forwarded to the Magistrate by the Session Judge .. | ii. | 184 |
| The Session Judge should have proved and recorded the statements made by the prisoners before the District Police Officer .. .. .. .. .. .. .. .. | ii. | 223 |
| Satisfaction is expressed at the manner in which the trial of a case of conspiracy was conducted by the Senior Assistant Session Judge .. .. .. .. .. .. .. .. | ii. | 238 |
| A Magistrate is instructed, through the Session Judge, to publish the circumstances of a murder throughout the district, as a warning to people to attend to circular order No. 403 .. .. | ii. | 240 |
| The crime with which a prisoner was charged not having been committed within the jurisdiction of the Sessions Court, the Judge could not have punished the prisoner for it .. .. | ii. | 259 |
| A Session Judge is recommended to confine himself to the definition of offences as expressed in the Code .. .. .. | ii. | 267 |
| Remarked that, in sentencing a prisoner, the Session Judge overlooked the requirement of Act XIV. of 1844 .. .. .. | ii. | 268 |

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| A Session Judge ought not to have refused to examine witnesses on the ground that they were sure to depose in the prisoner's favour .. .. .. .. .. .. .. .. | ii. | 278 |
| A Session Judge's attention is called to his proceedings in a case of perjury .. .. .. .. .. .. .. .. | ii. | 343 |
| A Session Judge has not convinced the Court that there was any reason for mitigating the sentence in a case which should have been charged as one of robbery .. .. .. .. .. | ii. | 370 |
| A Session Judge altered to 'robbery' a charge which the Assistant Magistrate had correctly preferred of 'breach of trust' .. | ii. | 370 |
| Noticed delay in the trial and adjournment of a case by the Session Judge .. .. .. .. .. .. .. | ii. | 379 |
| A Session Judge is requested, as well on the score of justice as of humanity, not to delay his judgment in any case, unless when a satisfactory reason can be recorded for so doing .. .. | ii. | 379 |
| Noticed instance in which the object of adjournment could not have been to afford time to the Judge to consider whether the prisoner had committed murder or not, but merely because it was not the pleasure of the Sessions Court to write out a finding at a proper season .. .. .. .. .. .. .. | ii. | 379 |
| An Assistant Session Judge, not vested with special powers, should not have tried a case of 'gang robbery, with force, by night' .. | ii. | 391 |
| Noticed that neither the finding nor language of a Session Judge's recommendation of the mitigation of a sentence he himself had passed, conveyed a true state of the convict, which a subsequent report showed to be so deplorable as to call for the interposition of Government on his behalf .. .. .. .. .. | ii. | 403 |
| In forwarding a warrant from Government for the mitigation of a sentence, the Court expects that, in future, the Session Judge will never pass *pro formâ* a sentence which he does not consider, at the time it is pronounced, ought to be carried into effect .. | ii. | 403 |
| A Session Judge, in his finding on the trial of a prisoner for escape from custody, says, that every precaution had been used to prevent escape, but this hardly seems reconcilable with the fact that the prisoner had a chain on only one leg .. .. .. | ii. | 407 |
| A Session Judge's attention is drawn to the discrepancy between his report and the statement of a witness, who says that there was, at the time the prisoner effected his escape, a guard of four sepoys and an officer, whereas the Session Judge's report was, that the guard consisted of a Naik, six of the Police Corps, and two Adawlut peons .. .. .. .. .. .. .. | ii. | 407 |
| Noticed instance in which an evidently important witness was neither examined by the Magistrate nor Session Judge.. .. | ii. | 411 |
| The Sudder, requesting a Session Judge to inform them of the result of his sending a witness to the Magistrate to be committed for perjury, are informed, in reply, that the witness in question was convicted of perjury, and sentenced to three months imprisonment with hard labour .. .. .. .. .. | ii. | 411 |
| In a case of 'setting fire to reaped crops,' the Session Judge should have recorded, what appears in the Assistant Magistrate's proceedings, that the stacks were about one hundred yards apart .. | ii. | 411 |
| Noticed instance in which an Assistant Session Judge was too hasty in his conclusions .. .. .. .. .. .. | ii. | 424 |
| The discharge of a prisoner by the Sessions Court, because, on a consideration of the facts, the Session Judge was of opinion it would be useless waste of time to proceed with the trial, was irregular. | ii. | 424 |
| A case, though not one, perhaps, which required commitment to the Sessions Court, yet, having been sent there, it ought to have been formally disposed of, and this the Session Judge is now requested to have done .. .. .. .. .. | ii. | 424 |

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| In annulling a Deputy Magistrate's conviction, the Magistrate should have committed the prisoners himself to the Sessions Court .. .. .. .. .. .. .. .. | ii. | 448 |
| The release, in a case of perjury, of prisoners without trial was illegal, and as a mere discharge does not operate as an acquittal, the Session Judge is directed to have the prisoners re-arraigned, and the trial proceeded with .. .. .. .. .. | ii. | 457–458 |
| A Magistrate is, through the Session Judge, informed that the proceedings in a case of murder would have been more complete had two of the prisoners been, from the first, made witnesses in it .. .. .. .. .. .. .. .. .. .. | ii. | |
| In a case in which perjury was combined with forgery, the Session Judge should have had the charge amended, and the parties indicted for conspiracy .. .. .. .. .. .. | ii. | |
| Pointed out to a Session Judge that there appeared to have been sufficient evidence, under Clause 2 Section 36 Regulation XIV. of 1827, to have convicted a prisoner of robbery, but that he ought not to have been convicted of receiving without having been tried on that charge .. .. .. .. .. .. | ii. | |
| A Session Judge's mode of examining by leading questions is disapproved, and he instructed how the same results might have been obtained by a contrary and legal method of questioning .. | ii | |
| Noticed case in which an Assistant Session Judge has recorded a vast deal more evidence than there was any occasion for him to take .. .. .. .. .. .. .. .. | ii. | |
| *See* also "Evidence." | | |
| An Assistant Session Judge might have saved himself much trouble in recording the evidence for the defence in a case of forgery, if he had borne in mind that it is by the evidence of the witnesses to the bond itself that a bond must stand or fall.. .. .. | ii. | 540 |
| A Session Judge should not have referred a case involving a question of criminal law for the opinion of assessors, but was bound to consider and determine it himself, and to have sought for precedents, which would have been the safest guide to a correct judgment, and which his own court would have furnished him.. | ii. | 546 |
| A Session Judge having, on recording an additional plea of guilty, omitted to note that the evidence was, as prescribed by law, read over, and the admissions it contained duly confirmed, the proceedings are, in consequence, incomplete, and the conviction is illegal .. .. .. .. .. .. .. .. | ii. | 545–546 |
| A Sesson Judge appears to have overlooked the fact, that, though a prisoner's statement before the Police authorities amounts to a confession, his amendment of it before the Session Judge is a direct denial of the fact .. .. .. .. .. .. | ii. | 548 |
| Pointed out to a Session Judge certain evidence which the Police authorities have not examined, but which he should take .. | ii. | 548 |
| Noticed instance in which a Session Judge, by conversing with, and his method of examining, a prisoner, gave a colour to the accusation brought against him by that prisoner of having threatened and compelled him through fear to retract his prior plea of 'not guilty,' and subsequently to plead 'guilty' .. | ii. | 547–548 |
| The conviction of the prisoners in a case of 'breach of trust' is annulled, and the Session Judge directed to replace the prisoners at the bar, and to try the case in the manner prescribed by the regulations .. .. .. .. .. .. .. | ii. | 549 |
| Noticed instance in which the record of a Session Judge fails to show on what charge the prisoner was in custody .. .. | ii. | 567 |
| Remarks that may be necessary on the evidence of a witness should appear at the close of it; but a Judge should abstain from mingling running comments with the contents of a deposition .. | ii. | 581 |

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| The Court are surprised to find that, in commenting upon his Assistant's proceedings, the Session Judge omitted to take notice of the inadequacy of the punishment which, had the Session Judge himself tried the case, it is to be hoped he would have made commensurate with the serious offence of which the prisoner was found guilty .. .. .. .. .. .. | ii. | 582 |
| A Session Judge is requested to instruct his Assistant, in all cases in which stains, supposed to have been produced by blood, are deemed important evidence for the prosecution, never to trust to his own impressions, nor to those of an unskilful witness, but to submit the articles containing them for analysis to the Civil Surgeon, and then to take that officer's deposition on the point as the only evidence that can be relied upon .. .. .. | ii. | 582 |
| Noticed that a Session Judge does not make his cases so complete as he ought, and the instances in one case are very apparent .. | ii. | 596 |
| Noticed a case of a 'robbery, without force, by night,' which, instead of being committed to the Sessions, might have been disposed of magisterially .. .. .. .. .. .. | ii. | 597–598 |
| It is, for the most part, unnecessary and objectionable for a Sessions Judge to enter all the circumstances of the detection of a crime [redacted] quiry, and the record should be, as much as possible, confined to a recital of the facts on which the judgment is based .. .. .. .. .. .. .. .. | ii. | 602 |
| The release, on the requisition of a Session Judge, of prisoners sentenced by a Magistrate was illegal .. .. .. .. | ii. | 604 |
| A Magistrate has no power by law to alter his own sentence, nor the Session Judge, as reviewing officer, to annul it, and order the release by the Magistrate, of prisoners sentenced by that functionary .. .. .. .. .. .. .. .. | ii. | 604 |
| If the sentence passed by a Magistrate were, by the Session Judge, considered too severe, he should have submitted the proceedings to the Sudder Court, with the grounds upon which a mitigation of the sentence was considered called for.. .. .. .. | ii. | 604 |
| Noticed improvement in the trial of cases by a Session Judge, but still defects in the omission of evidence which should have been taken .. .. .. .. .. .. .. .. | ii. | 609–610 |
| Noticed, as an impropriety in the procedure of a Session Judge, that (the prisoner having pleaded guilty to a charge of murder) the Court, without recording a conviction, adjourned the further consideration of the case to deliberate upon the sentence—any delay in the case being quite unaccountable. But whether the adjournment was made with sufficient reason or not, the Sessions Court ought not to have alluded to the sentence until after the finding had been recorded, which, with a plea of guilty, was not, the Judges would have thought, a question for a moment's consideration .. .. .. .. .. .. .. | ii. | 614–615 |
| Noticed, in a case of 'gang robbery, with force, by day,' that neither the Session Judge nor Assistant Magistrate took any evidence regarding the search of the prisoner's house, and the grain found therein .. .. .. .. .. .. .. .. | ii. | 634 |
| A Session Judge is directed to make over to the Police certain prisoners whom he should have sent to be dealt with by that department .. .. .. .. .. .. .. .. | ii. | 644 |
| With the views entertained by a Session Judge in a case of murder, the safer course would have been for him to have referred the case to the Sudder Court, in order that the mercy superior authority might deem the prisoners entitled to should be granted, but it was not correct, on his part, to reduce, without reasonable cause, an offence below the character it actually bore, and usurp, as it were, the office of the executive in mitigating punishment.. | ii. | 648–649 |

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| A Session Judge who reviewed, and his Assistant who tried, a case, are to be told that the deposition of an accused person should be recorded at length, and not its substance only given .. | ii. | 652 |
| Noticed a Session Judge's omission to examine witnesses, and his basing his conviction upon the proceedings of another case which is not evidence .. .. .. .. .. .. .. | ii. | 674 |
| Noticed, with regret, that, with instructions so explicit as are afforded in circular order No. 459, for carrying out sentences of solitary imprisonment, and with so obvious a course open to him as a reference to the Sudder Court, a Session Judge should have acted so contrarywise and have discharged a prisoner from jail before the expiration of his sentence .. .. .. .. | ii. | |
| Pointed out certain informalities in the proceedings of an Assistant Session Judge in a case of perjury .. .. .. .. | ii. | |
| The regulations do not warrant an Assistant Session Judge's assumption that a short term of imprisonment with labour is the equivalent of a long term of imprisonment without labour .. | ii. | |
| As a Session Judge ignored the defence set up by a prisoner of his having received the stolen ornaments from the complainant's daughter-in-law, he should have convicted the prisoner on the first count—that charging him with the robbery, as the possession of stolen property unaccounted for is quite as consistent with the stealing as it is with the receiving of it.. .. .. | ii. | |
| Held on the reference of a Session Judge, that, the Court having already decided on the point of law on a former reference, and there is nothing to refer to under the regulation quoted, the case must be returned to the Session Judge to complete, as the Court do not find a sufficient cause for the reference on this occasion .. .. .. .. .. .. .. .. | iii. | 55 |
| Noticed of a 'punchayet-nama,' that it should have been read and recorded by the Session Judge .. .. .. .. .. | iii. | 77 |
| Appreciated the manner in which an Assistant Session Judge tried and conducted a case of robbery .. .. .. .. .. | iii. | 91 |
| Noticed a Session Judge's omission to record whether the imprisonment in commutation of a fine was with or without labour .. | iii. | 93–95 |
| Pointed out the error of an Assistant Session Judge in arraigning a prisoner on the first count, and omitting to quote the regulation when awarding sentence .. .. .. .. .. | iii. | 105 |
| The proceedings in a case were sent for because the Act quoted does not apply to Sessions Courts .. .. .. .. | iii. | 105 |
| A Session Judge is instructed that the particulars (name, age, sect, religion, and profession) specified in Clause 1 Section 36 Regulation XIII. of 1827 should be ascertained, and entered after a witness has been put on solemn affirmation .. .. .. | iii. | 129 |
| The warrant for the sentence of a convict, who has escaped, is directed to be returned to the Session Judge, with instructions to retain the same until the Assistant Session Judge can report its execution in full.. .. .. .. .. .. .. | iii. | 130–131 |
| Noticed that, however blameable the delay in the conduct of the case by the magisterial department and Police, the delay observed also in the return of a document by the Sessions Court is not explained .. .. .. .. .. .. .. .. | iii. | 156–157 |
| In passing a secondary sentence upon a man arraigned for murder, and whose cruel assault upon a boy occasioned death, the Session Judge has omitted to show that the assault was provoked, and to adduce his reasons for awarding secondary punishment .. | iii. | 159–160 |
| A Session Judge should have stated his reasons for not taking the evidence of one Dhondo Sonar, who might have ensured the conviction of both the prisoners, without resorting to that of an accomplice against one of them .. .. .. .. | iii. | 166 |

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| The sentence awarded by a Session Judge in a case of 'gang robbery, with force, by night,' is scarcely adequate to the offence of which the prisoners were convicted .. .. .. .. | iii. | 191–192 |
| The Court, seeing no cause for the distinction made by a Session Judge in sentencing one of three prisoners to secondary punishment, and the other two to death for murder, assimilate their sentences by awarding transportation for life to all three .. | iii. | 195 |
| A Session Judge is requested to inquire and report why prisoners committed in March were not received at the Court until the month of June .. .. .. .. .. .. .. | iii. | 200 |
| The conviction and sentence of a Session Judge are annulled, and the fine to be restored to the prisoner (a peon), who, it is to be regretted, should have been criminally arraigned, and who, it is requested, shall not suffer further in any respect in this matter. | iii. | 202 |
| Condemned severely the manner in which a trial for 'robbery, and receipt of stolen goods,' involving a long imprisonment to the convicted, has been conducted by the Session Judge .. .. | iii. | 213 |
| The conviction and sentence of a Session Judge are annulled, the trial being too faulty to make it safe to rely upon the record.. | iii. | 213 |
| Noticed, in a case of 'culpable homicide,' that the Session Judge was wrong in convicting the prisoners merely of serious assault, for the question was not what was the after-conduct of the deceased, and whether she refused to submit to a surgical operation, but as to whether an injury, calculated to produce death, had been caused or not, and that, being found in the affirmative, the conviction should have been 'culpable homicide,' and a more adequate punishment awarded .. .. .. .. .. | iii. | 227 |
| A Session Judge's allusion to the prisoners' career as robbers should have been supported by the testimony of competent authority.. | iii. | 255 |
| The attention of an Acting Assistant Session Judge is drawn to circular order No. 385, of the 22nd November 1848, forbidding the entry of the papers and proceedings, received from the magisterial authorities, as part of the record of the trial .. .. | iii. | 267 |
| The recommendation of a Session Judge, to mitigate a sentence of death to one of transportation for life, cannot be complied with.. .. .. .. .. .. .. .. .. .. | iii. | 273 |
| *See* also "Sentence." | | |
| The sentence of death passed on a prisoner is to be carried into effect at the usual place of execution, and not at that which a Session Judge has, for no sufficient reason, indicated .. .. | iii. | 273 |
| An Assistant Magistrate, at the commencement of his proceedings, charged certain parties with 'robbery,' but subsequently altered this charge, on which they should have been tried, into receiving, without recording any reasons for so doing, an error of which the Session Judge was conscious, and which it was competent in him to have amended by returning the prisoners to be committed for the robbery .. .. .. .. .. .. | iii. | 283 |
| Held, on a reference from a Session Judge, that the meaning of the word *sentence* in Regulation V. of 1831 is the definitive judgment pronounced in a case, including, of course, 'acquittal' .. .. .. .. .. .. .. .. | iii. | 309 |
| An Acting Session Judge is, on a further reference to the Sudder Court on the meaning of the word *sentence*, informed that the January number of Reports for 1855, page 55, and the present case, will answer every purpose of an interpretation, as, after all, no new construction is placed upon the word *sentence* .. .. | iii. | 309–310 |
| A Session Judge is reminded that the punishment for the crime of 'escape from custody' is, by Section 24 Regulation XIV. of 1827, regulated by the limit assigned to the commission of the substantive offence .. .. .. .. .. .. .. | iii. | 309 |

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| A Session Judge is requested, when more prisoners than one are on their trial, to let the number of each appear after his name, whenever this is mentioned on the record, and in the letter also handing up the case, if it be one requiring the confirmation of the Sudder Court .. .. .. .. .. .. .. | iii. | 324 |
| The witnesses for the defence not being present, the Session Judge ought not to have recorded their examination before the Police, but, inasmuch as they had disproved the *alibi* set up by the prisoner, they should have been cited for the prosecution .. | iii. | 331 |
| The attention of a Session Judge is directed to Act VII. of 1854, and he informed that the gang robbery having been committed within the Magistrate's jurisdiction, the authority of Government was not required to bring the prisoners to trial, but, as he thought differently, he should have satisfied himself on the point before proceeding to trial .. .. .. .. .. | iii. | |
| A Session Judge should not have recorded the prisoners' confessions before they were proved .. .. .. .. .. | iii. | |
| Noticed, in a case of 'robbery, attended with murder,' the absence of a witness whom the Session Judge directed to be sent up with the case .. .. .. .. .. .. .. | iii. | |
| A Session Judge is requested, in submitting future registers of petitions, to take measures for showing what were the pleas entered by petitioners when on trial before the magisterial authorities.. .. .. .. .. .. .. | iii. | 385 |
| An Acting Session Judge is requested, in future, to give the number of each prisoner, whenever his name is mentioned in a trial.. | iii. | 406 |
| The attention of a Session Judge is directed to the procedure ordered by the regulations in a case in which a prisoner pleads guilty .. .. .. .. .. .. .. .. | iii. | 452 |
| The Sudder, concurring with the Session Judge in a case submitted by that officer, annul the conviction of, and sentence passed upon, a prisoner by the Magistrate .. .. .. .. | iii. | 466 |
| Act II. of 1839, quoted by a Session Judge to authorise the levy of a fine by distraint, does not apply to Sessions Courts, and so much of the sentence as orders distress under that Act is annulled .. .. .. .. .. .. .. .. | iii. | 476 |
| A prisoner having admitted, before the Sessions Court, his statement confessing his knowledge of the robbery, the Session Judge should have assigned more distinct reasons for acquitting him .. .. .. .. .. .. .. .. | iii. | 479 |
| In respect to the procedure to be followed by the Sessions Court when reviewing a conviction in the magisterial department, *see* vol. ii., pages 599—604, of Morris's Report .. .. .. | iii. | 546 |
| *See* also "Release." | | |
| Reference to the Magistrate, on the propriety of his sentence, though frequently made, is not absolutely required of the Session Judge .. .. .. .. .. .. .. | iii. | 545–546 |
| A Magistrate is directed to report why a case committed for trial on the 27th December was not sent to the Sessions Court until the 2nd February following .. .. .. .. .. .. | iii. | 552 |
| A petitioner, praying for order to be allowed to visit his brother (a convict in the jail at Poona), is referred to the Session Judge .. | iii. | 553–554 |
| There appearing no reason why a convict should not be allowed to petition the Sudder Court, the Assistant Session Judge is requested to permit him to do so.. .. .. .. .. | iii. | 566–667 |
| No advantage to the public can result from the minute divulgements of the Police as to how they obtained their evidence, and if such were elicited by the Session Judge in examination, he should abstain from a practice which must damage the efficiency of the Police, and be injurious to the parties who give information .. | iii. | 595 |

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| The Assistant Session Judge is to be informed that an officer connected with the jail should have been called upon to depose to the prisoner's identity with the convict in the warrant recorded after conviction .. .. .. .. .. .. | iii. | 614 |
| The attention of a Session Judge is drawn to the very grave mistake of the plea column of the register of petitions, making it appear that the prisoner had pleaded 'guilty' before the Assistant Magistrate, whereas the plea before him, as appears from the original proceedings, was distinctly 'not guilty' .. .. .. | iii. | 624 |
| Regret expressed at finding the facts of a case of murder imperfectly investigated by a Session Judge .. .. .. .. | iii. | 659 |
| It was the duty of a Session Judge to put beyond any question the cause of a man's death, before proceeding with the evidence which was to fix the assault upon the prisoners .. .. .. | iii. | 659 |
| Noticed in a trial for murder, the improper rejection by a Session Judge of the evidence, for the defence, of two witnesses because they were prostitutes, and because one of them *possibly* prostituted herself to the prisoners every day, an assumption which there is no trace of evidence to justify, and that, even when in the course of the prosecution, whatever was elicited in favour of the prisoners received little consideration .. .. .. | iii. | 659 |
| An Assistant Magistrate, who sent up to the Sessions Court certain bamboo sticks with which a party is said to have been killed, should have sent up the peon also who found them .. .. | iii. | 662 |
| A Magistrate, considering the sentence passed by a Deputy Magistrate too severe, should have annulled the conviction, and committed the prisoner for trial before the Sessions Court .. .. | iii. | 669 |
| A Session Judge is informed that 'rape' is a distinct offence from 'assault,' causing bodily suffering, and that it is unnecessary to add those words in the recital of a charge for 'rape' .. .. | iii. | 698 |
| Requested that the admonition of a Session Judge to a Subedar of the Kolee Corps may be communicated to the Superintendent of Police. | iii. | 711 |
| The Sudder Court concur with the Session Judge in considering that two prisoners, charged with 'instigating and aiding in murder,' should have been charged with 'murder' .. .. | iii. | 711 |
| A Session Judge is reminded that the Court have already remarked that the substance of retracted confessions should be entered in his English record .. .. .. .. .. .. | iii. | 717 |
| The fine imposed upon a witness is remitted, as the Session Judge is not authorised by law to fine a witness for contradictions in depositions .. .. .. .. .. .. .. .. | iii. | 717 |
| The Court consider the sentence of a Session Judge, in a case of 'robbery, with force, by night,' is most inadequate, and that the chief criminal should have been sentenced to transportation. | iii. | 721 |
| A Session Judge should have abstained from the censure he has recorded on the Police, whose retention in custody of the mother of a man accused of murder was fully justified by the suspicion which attached to her .. .. .. .. .. | iii. | 732-733 |
| The comments upon, and condemnation of, the conduct of the Government Vakeel by a Session Judge, for coming forward to plead for, and endeavour to protect, parties arraigned for forgery, are viewed with surprise by the Sudder Court, who observe that no blame is attachable to the Government Vakeel for practising the office of advocate for the prisoners in the Sessions Court .. | iii. | 739 |
| The Sudder concur in the remarks of the Session Judge on the carelessness displayed in the English proceedings of the Assistant Session Judge .. .. .. .. .. .. .. | iii. | 779 |
| Observed that a sentence passed on a prisoner in a case of 'gang robbery' need not have been subjected to the confirmation of the Acting Session Judge .. .. .. .. .. .. | iii. | 779 |

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| Noticed that prisoners are sometimes designated by name, sometimes by number, and sometimes by caste only, in the proceedings of an Assistant Session Judge .. .. .. .. .. | iii. | 779 |
| The attention of a Session Judge is called to the grave error in the plea column of the register of petitions, wherein the plea is set down as 'guilty,' and a reference to the Assistant Magistrate's proceedings shows it was 'not guilty' .. .. .. .. | iii. | 789 |
| A prisoner giving no answer before the Sessions Court, a plea of 'not guilty' should have been recorded .. .. .. .. | iii. | 805–807 |
| A witness is, for giving false evidence on a trial for murder, remanded to the Magistrate by the Sessions Court, that a charge of 'perjury' may be preferred against him .. .. .. | iii. | 823–824 |
| Noticed instance in which a Session Judge assigns no reason for confirming a sentence, to uphold which, and the conviction, there being no sufficient ground adduced, they are both annulled .. .. .. .. .. .. .. .. | iii. | |
| A Magistrate should always inform the Sessions Court when he rewards a witness, and the Session Judge should record the information .. .. .. .. .. .. .. .. | iv. | |
| A Session Judge is informed that the deposition of a Civil Surgeon should have been taken in the vernacular of that officer .. .. .. .. .. .. .. .. | iv. | |
| Noticed instance in which a Session Judge should have passed a combined sentence for 'gang robbery and escape,' and this should be the course should conviction follow any future commitment of the prisoner .. .. .. .. .. .. | iv. | 76 |
| A Session Judge is requested, in future trials for murder, to take the evidence of the members of the inquest, to the effect that the report recorded was that they had subscribed .. .. | iv. | 99 |
| A Session Judge is cautioned against the admission of hearsay into evidence .. .. .. .. .. .. .. .. | iv. | 99 |
| Commended the masterly and painstaking judgment of the Acting Session Judge—Mr. H. Newton .. .. .. .. .. | iv. | 130 |
| Noticed that the English record of a Session Judge does not show that the prosecution was formally closed, and the prisoner put on his defence .. .. .. .. .. .. .. | iv. | 139 |
| A prisoner, who had killed his wife, should have been committed for murder, and it should have been left to the Sessions Court to judge of the amount of criminality involved .. .. .. | iv. | 156 |
| A Session Judge, on being called upon to report, replies that the charge against a Vakeel of suborning evidence appears to have no proof .. .. .. .. .. .. .. .. | iv. | 160 |
| An Assistant Session Judge ought to have recorded his conviction against the prisoner before taking evidence as to former convictions, which should only be considered in the apportionment of the sentence .. .. .. .. .. .. .. .. | iv. | 167–169 |
| An Assistant Session Judge should be instructed to adhere to the practice of taking down the description of a witness after solemn affirmation is made .. .. .. .. .. .. | iv. | 167–169 |
| A Session Judge was altogether in error in refusing to allow, for reasons so inadequate as those recorded, the prosecution to proceed .. .. .. .. .. .. .. .. | iv. | 171–173 |
| The Sudder cancel the reprimand administered by the Sessions Court to Mr. Nana Morojee, to whose commitment no exception ought to have been taken, and direct the Session Judge to communicate this, their decision, to the Magistrate, for the information of Mr. Nana Morojee .. .. .. .. | iv. | 173 |
| Had a Session Judge, instead of refusing to allow a trial to go on, proceeded with the trial, he would have found the gist of the conspiracy was to frustrate the ends of justice .. .. .. | iv. | 173 |

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| As a case of perjury was not taken up for a month after commitment, all the witnesses should have been ready to enable the Sessions Court to dispose of it in one day; it is observed, with regret, however, that three days were occupied in trying it .. | iv. | 176 |
| The sentence of imprisonment with hard labour for five years, passed on certain prisoners convicted by a Sessions Court of murder, being held illegal, the case was returned to the Sessions Court in order that a legal sentence might be recorded .. | iv. | 186 |
| The Sudder do not concur with the remarks recorded in the Sessions Court as to the advisability of encouraging confessions. | iv. | 213–214 |
| The Sudder do not concur in the propriety of the vicarious punishment threatened by the Sessions Court to be inflicted on the Assistant Judge's clerk .. .. .. .. .. .. | iv. | 213–214 |
| The Assistant Session Judge is to be cautioned against the use of such words as 'swindled out of his money,' &c.. .. .. | iv. | 234 |
| With reference to a Session Judge's remarks on a trial for murder, the Court remark that homicide is never justifiable, except its commission be such as is contemplated in Clause 3 Section 26 Regulation XIV. of 1827 .. .. .. .. .. .. | iv. | 256 |
| A Session Judge ought not to have allowed the implication of two prisoners by a third, who confessed himself a thief, to weigh against them .. .. .. .. .. .. .. | iv. | 298–299 |
| The Court commend, as very able, the finding of the Acting Session Judge—Mr. H. Newton .. .. .. .. .. | iv. | 329 |
| A very grave omission of evidence is observable in the English proceedings of a Session Judge, which ought to be a faithful exhibition of all that is elicited at a trial.. .. .. .. .. | iv. | 339 |
| A case received by the Session Judge on the 7th May should have been ready for trial on the 9th July, when it was taken up, instead of which, it occupied three weeks, involving several adjournments .. .. .. .. .. .. .. | iv. | 339 |
| When perjury is committed before several authorities, and finally before the Sessions Court, the offence before the Sessions Court should be the subject of the charge .. .. .. .. | iv. | 354 |
| A Session Judge, on all occasions of referring to the Sudder Court for opinions with respect to the propriety of the conviction and sentence of a prisoner by the Magistrate, should be careful to show that the Magistrate does not approve of, nor is authorised to carry out, the amendment suggested by the Session Judge.. | iv. | 366 |
| A Session Judge ought not to have allowed the implication of two prisoners by a third, who confessed himself a thief, to weigh against them .. .. .. .. .. .. .. | iv. | 383 |
| A surety for an escaped prisoner should have been forwarded to the Sessions Court.. .. .. .. .. .. .. | iv. | 420–421 |
| The excuse of a Session Judge, that he had not read the law of evidence before he tried a case, is wholly inadmissible .. | iv. | 443 |
| A Session Judge should have set forth in his record the substance of the 'kurarnama,' or agreement, and proved, by evidence more independent than that of the complainant, when, and under what circumstances, it was made use of before the Mahalkuree, and how it found its way before the Sessions Court. | iv. | 453–456 |
| A Session Judge is, in answer to his reference, informed that the Sudder can neither direct nor forbid any further prosecution of the individual in question, but that the Magistrate must be left to act under his own view of the law .. .. .. .. | iv. | 502 |
| Noticed as illegal a Session Judge's alteration of the charges on which prisoners were committed by a Magistrate .. .. | iv. | 527–528 |
| Noticed a Session Judge's omission to record in his finding, on a case of rape, a very material observation of the prosecutrix against the village Patel's son .. .. .. .. .. | iv. | 538 |

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| A Session Judge is informed that penal statutes must be construed strictly, and as Section 9 Regulation XIV. of 1827 is specific in its enactment that imprisonment, in commutation for a fine, shall be 'ordinary,' it is clearly not competent to award 'solitary' .. .. .. .. .. .. .. | iv. | 576 |
| A Session Judge should not have sent up remarks deprecating the mitigation of a sentence, which should be left to the Sudder Adawlut, without a Session Judge making any recommendation in the matter .. .. .. .. .. .. .. | iv. | 580 |
| In reference to a Session Judge's observations, as to the frequent reversal and alteration of his sentences, the Court remark that the Session Judge is himself responsible for the errors to which alone these orders are to be attributed .. .. .. .. | iv. | 580 |
| A Session Judge should have proved the warrant recorded in his proceedings, and have refrained, in summing up, from any allusion to the prisoner's past offences, whereas he assigns them as one of the reasons for conviction .. .. .. .. | iv. | |
| A Session Judge should not, in his finding, have attached any weight to the direct implication by a prisoner of his companion .. .. .. .. .. .. .. | iv. | |
| Attention is called to Clause 1 Section 37 Regulation XIII. of 1827, which requires the second attesting witness to the admission of a prisoner before the Foujdar to be sent up with the case to the Sessions Court .. .. .. .. .. .. .. | iv. | 660 |
| A Session Judge's recommendation to mercy should be contained in the letter handing up the case, and not in the proceedings of the case itself .. .. .. .. .. .. .. | iv. | 671 |
| Noticed that, in consequence of the very defective evidence forwarded in a case, many adjournments were necessitated, and the labour of the Sessions Court considerably enhanced .. .. | iv. | 680–682 |
| A Session Judge should, in quoting the evidence of witnesses in his summing up, give their names, in addition to their numbers on the record .. .. .. .. .. .. .. | iv. | 663 |
| A Session Judge is referred to vol. ii., page 548, of Morris's Reports, for the Court's opinion of the impropriety of a Judge conversing with and questioning a prisoner .. .. .. .. .. | iv. | 681 |
| *See* also "Conversation," "Prisoner," "Question." | | |
| The Court do not concur in the Session Judge's remarks regarding the committal, as it would have been improper, in the Assistant Magistrate, to have recorded any finding of guilty in committing the prisoners .. .. .. .. .. .. | iv. | 685 |
| Noticed the delay apparent in taking up a case of conspiracy, which, reaching the Session Judge on the 17th February, was transferred to the Assistant Session Judge on the 20th March, and the trial not proceeded with until the 23rd April .. .. | iv. | 712 |
| Noticed a Session Judge's omission to show in his proceedings what sentence was passed on a prisoner who, in the Session Judge's return, is found to have been sentenced to twelve months imprisonment with hard labour .. .. .. .. .. | iv. | 804 |
| In accordance with circular No. 400, the Police officers who apprehended a prisoner should have been forwarded to the Sessions Court .. .. .. .. .. .. .. .. | iv. | 836 |
| A Session Judge, being called upon to explain how a sentence came to be differently described in the register to what it really was in point of fact, replies that the difference is owing to a clerical error in the fair copy, as in the office copy this sentence is correctly entered .. .. .. .. .. .. | iv. | 845 |
| The Court cannot understand why a Session Judge reserved judgment for a fortnight after a protracted trial of three days.. .. .. .. .. .. .. .. .. | iv. | 853 |

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| The Sudder, concurring with the Session Judge, cancel, in a case submitted by that officer, a fine imposed by a Magistrate on a witness for prevarication under Act XXX. of 1841, which does not apply to prevarications .. .. .. .. .. | iv. | 856 |
| The Sudder notice the very able manner in which a trial for murder has been conducted by Mr. H. Newton, Acting Session Judge of Kaira .. .. .. .. .. .. .. | iv. | 868 |
| The Sudder notice the able analysis of the evidence, and the usual ability with which a trial for murder has been conducted by Mr. H. Newton, Acting Session Judge of Ahmedabad .. | iv. | 953-954 |
| A Magistrate, in dissenting from the opinion of the Session Judge, should have forwarded his reasons to that officer, that the latter might consider before resolving to submit them to the Sudder, with his own opinion and the proceedings of the case .. .. | v. | 9 |
| Session Judge's views of the priority which should be given to civil appeals, when a criminal case was on his file ready for trial, and the witnesses in attendance, were erroneous .. .. | v. | 64 |
| Noticed instance in which prisoners do not appear to have been called upon by the Session Judge for their defence .. .. | v. | 81 |
| An Assistant Session Judge is, under paragraph 4, of circular order No. 451, competent to amend a charge on which prisoners are first handed up to trial by inserting the names of the parties robbed .. .. .. .. .. .. .. .. | v. | 91 |
| Any remarks forwarded to the Magistrate on matters connected with a case on trial before the Session or Assistant Session Judge, should be in the form of an extract from the proceedings, and not in that of a letter .. .. .. .. .. .. | v. | 91 |
| A Session Judge is instructed that, as the opinion of the medical officer by whom the persons of the prisoner and girl were examined, was not taken, his opinion should not have been quoted. | v. | 106 |
| The alarm, or excitability of a witness, a Judge himself can best determine and allay, by refraining to examine her until re-assured. | v. | 115 |
| Noticed that, on the full and voluntary confession of a prisoner before the Court, the Session Judge should have followed the course laid down in Clause 2 Section 37 Regulation XIII. of 1827, and have dispensed with taking further evidence .. | v. | 115 |
| Commended the trial of a case of murder, and of cases generally, by Mr. H. Newton, Acting Session Judge of Ahmedabad .. | v. | 132 |
| A prisoner convicted of a charge incorrectly framed, and of which he was not, as the charge was worded, guilty, was remanded, and the Session Judge directed to try the prisoner on a correct charge .. .. .. .. .. .. .. .. | v. | 181 |
| A Session Judge should not assign motives for the conduct of a prisoner for which there are no grounds whatsoever .. .. | v. | 183 |
| Observed that the conduct of a trial by Mr. R. H. Pinhey evinces great promise of his making a very good Judge.. .. .. | v. | 293 |
| A Session Judge is called upon to explain his procedure in criminal cases, in which delays and adjournments, and much useless procedure, are observable .. .. .. .. .. .. | v. | 316 |
| A reward offered for the mere apprehension of a person, a Magistrate should disburse ; but a reward offered for the apprehension and conviction of a party, the Session Judge would, on the fulfilment of the terms, adjudge .. .. .. .. .. | v. | 326 |
| The interpretation of Section 17 Regulation XIV. of 1827, quoted by a Session Judge as the law for punishing a prisoner for forgery, does not apply either to the offence or to the position of the prisoner, he not having falsified treasury accounts, nor been on the establishment of the Collector .. .. .. | v. | 356 |
| Noticed the incorrect wording of the sentence passed upon a prisoner by the Session Judge .. .. .. .. .. | v. | 379 |

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| A Session Judge was wrong in setting aside the house and bullocks of a labouring man as not necessary to be entered in his schedule, when praying to sue as a pauper, for had the pauper only omitted these, he would have been liable to a charge of perjury .. .. .. .. .. .. .. | v. | 382-383 |
| Magistrates should notify to the people that the members of an inquest are not witnesses whose attendance is required before the Assistant Magistrates, and that, when they have made their report, they can remain in the village until their attendance is required before the Session Judge .. .. .. .. | v. | 411 |
| Noticed the long delays and adjournments in a trial in which though the Session Judge took twelve days to prepare his judgment, an oversight in an important part of it is found .. .. | v. | 434 |
| Noticed that a Session Judge impedes himself by setting down cases for trial on particular days .. .. .. .. | v. | |
| Noticed as a hardship to the people, and as bad management, in the magisterial authorities sending for preliminary investigation, a distance of one hundred miles, a case of murder which took place within a few miles of the town and Sessions Court of Dharwar .. .. .. .. .. .. .. .. | v. | |
| A Session Judge and Deputy Magistrate are called upon to explain the one, how he came to prepare, and the other, how he came to try and convict upon, a charge of perjury, which had no foundation whatever on the deposition of the prisoner .. .. .. | v. | |
| The Court are sorry to observe a Session Judge maintains the former very irregular proceedings to be a complete trial. The Bombay Code, which was quoted as the rule of his procedure in the case originally, ought to have been his guide throughout, and not English law-books, to which he now refers as justifying the course he adopted .. .. .. .. .. .. .. | v. | |
| Noticed the discrepancy between an entry in the register of petitions and the explanation of a Session Judge as to the number of lashes to be awarded to a prisoner .. .. .. | v. | 508 |
| Noticed the irregular committal to the Sessions Court of parties who, as residents in the state of His Highness the Guicowar, are not liable, for the offences charged, to the Court's jurisdiction. | v. | 513 |
| A prisoner found guilty of perjury, committed before the Session Judge trying a case in which the Judge had no jurisdiction, is acquitted .. .. .. .. .. .. .. .. | v. | 524-525 |
| Noticed the insufficient examination of a Police Patel by the Session Judge .. .. .. .. .. .. .. | v. | 559 |
| If a Magistrate commit a British subject charged with an offence committed in foreign territory, the Session Judge must try the case, and if the charge be proved, must punish for it, for the offence is penal under Section 2 Act I. of 1849 .. .. .. | v. | 626-627 |
| A Session Judge, having the District Police Officer before him, should have made him prove the prisoner's statement as taken before him .. .. .. .. .. .. .. .. | v. | 702 |
| A Session Judge is recommended to retain for witnesses' depositions the form introduced by Mr. Hebbert .. .. .. .. | v. | 702 |
| A Session Judge ought not to admit into charges averments which are not required by law, and which he does not think it necessary to see proved on the trial .. .. .. .. .. .. | v. | 776 |
| A confession made by a prisoner before the Assistant Magistrate should have been proved before the Session Judge, and recorded for the prosecution .. .. .. .. .. .. | v. | 782 |
| A circular is to be sent to the Session Judges, directing them never to try a charge of perjury in which the very words that the accuser is said to have uttered are not set forth in the charge .. .. .. .. .. .. .. .. | v. | 786 |

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| A Magistrate need never, in cases he will not decide himself, require the presence of the Civil Surgeon; the report of that officer will suffice to show what evidence he is likely to give, and if the Session Judge require it, the Surgeon can be in attendance .. | v. | 824 |
| A Session Judge should prove all documents before he records them, and none should be recorded that are not proved .. | v. | 839 |
| Petition against the proceedings of a Session Judge, Wamun Jeewajee, and two others .. .. .. .. | v. | 848-850 |
| Ditto ditto .. .. .. .. | vi. | 192-193 |
| Ditto ditto .. .. .. .. | vii. | 489-490 |
| Disapproved a Session Judge's seeking to punish, without the intervention of the Magistrate, parties charged with obstructing the peons of the Sessions Court in the execution of their duty, and who had been, for that offence, arraigned before, and acquitted by, the Deputy Magistrate, to whom the Session Judge himself had, in the first instance, very properly referred the case .. | v. | 850 |
| Directed that certain written defences should not have been rejected by the Session Judge .. .. .. .. .. | vi. | 13 |
| Session Judges might save themselves and their establishments much trouble if, in handing up applications from convicts, they were to mention, in a report on them, that these were the mis-representations, mis-statements, or contradictions, and the Court might then not think it necessary to call for the proceedings of the case .. .. .. .. .. .. .. .. | vi. | 84- 85 |
| Noticed fai e of an Assistant Magistrate to record in English that the p soner has been asked whether he has any witnesses to call for his defence before the Sessions Court .. .. | vi. | 138 |
| Noticed instance, in a trial for murder, of a Session Judge recording hearsay, which should not be done .. .. .. .. | vi. | 138 |
| A Session Judge should not have read a prisoner's confession before it was proved .. .. .. .. .. .. | vi. | 138 |
| A Session Judge should have recorded his reasons for awarding secondary punishment in a case of cold-blooded and deliberate murder, clearly proved .. .. .. .. .. .. | vi. | 167 |
| A Session Judge, being requested to report why he, upon two occasions, sent direct to the District Police Officer for the witnesses he wanted instead of writing through the Magistrate, reported that his object was to avoid delay .. .. .. | vi. | 191 |
| A Zillah Judge has no original jurisdiction, except in cases of perjury .. .. .. .. .. .. .. .. | vi. | 193 |
| In cases in which a Session Judge had no original jurisdiction, he could not, under the regulations, put parties on their trial until they had been committed by the Magistrate .. .. .. | vi. | 193 |
| A Magistrate is only required to take sufficient evidence to satisfy himself that there is a case for the Sessions, though he ought to ascertain where all the evidence, likely to be required by the Session Judge, is to be found .. .. .. .. .. | vi. | 235 |
| The report of the Civil Surgeon is sufficient in cases of committal to the Sessions Court, because, if necessary, the Session Judge can call upon that officer to give his evidence in regular form.. .. .. .. .. .. .. .. .. | vi. | 235 |
| *See* also "Magistrate," "Medical Officer." | | |
| A Session Judge is not confined to taking only the evidence of those examined by the Magistrate, but is at liberty to call for any other witnesses he may think necessary to support either the prosecution or defence.. .. .. .. .. .. | vi. | 235 |
| Review of a case by a Session Judge—Anajee Vitul .. .. | vi. | 239 |
| A Session Judge is informed that, as Session Judge, he has not the power to make the investigation alluded to in Section 52 Regulation IV. of 1827, nor has the Magistrate.. .. .. | vi. | 295 |

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| Noticed a Session Judge allowing witnesses to depose to what they had heard, and his recording that hearsay as evidence, which is no evidence at all .. .. .. .. .. | vi. | 309 |
| Prisoners should not be put on their trial for perjury on two charges—one, in having deposed in the affirmative; and the other, in having deposed in the negative. The Judge should satisfy himself which statement is false, and try the prisoner for perjury in having made that statement .. .. .. .. | vi. | 316 |
| A Session Judge, who very properly visited and made himself acquainted with the locality of a murder, should, instead of recording in his finding his own impression, have extracted this point from the witnesses, the great objection to the course he pursued being, that it made him a witness whom the prisoner could not cross-examine .. .... .. .. .. | vi. | |
| Noticed the mistake of a Session Judge in having entered a plea of 'not guilty' for both prisoners, and in his finding recorded that one pleaded 'guilty,' and the other 'not guilty' .. .. | vi. | |
| It is unnecessary in a Session Judge, except when passing sentence, to record in detail how it is to be carried out .. .. .. | vi. | |
| Observed that, in proving confessions, a Session Judge does not, as he should, ascertain that the confessions, as written down, are what the prisoners dictated, but that the prisoners admitted what they heard read over to them to be the truth .. .. | vi. | |
| In place of culpable homicide, the Session Judge should have convicted of murder three Sowars, who, in conveying an unarmed prisoner to Sanund, did, on his attempting to escape, kill him, on the plea that it was the only means of preventing his escape .. .. .. .. .. .. .. .. | vi. | 461–462 |
| Noticed in a case of murder, that the Session Judge ought to have examined the doctor who dressed the wound .. .. | vi. | |
| The Hindoo law officer having declared the offence of receiving a child, knowing it to be stolen, and so offending against the law of her faith, punishable by fine, at the Court's discretion, it was not competent in the Session Judge to award a sentence of imprisonment with hard labour for three years, but he should have awarded a fine, commutable to imprisonment in default. The case is remanded that a legal sentence of fine, or in default, imprisonment, may be awarded .. .. .. .. .. | vi. | 544 |
| Noticed in a trial for 'conspiracy, forgery, and uttering a forged document,' that the charges of forgery should not have been brought forward—the main charge of conspiracy included them, —and the Session Judge should have elected on which charge to try the prisoners.. .. .. .. .. .. .. | vi. | 569 |
| Noticed, with regret, a Session Judge indulging in such remarks as he has recorded.. .. .. .. .. .. .. | vi. | 569 |
| Explanation is requested from a Session Judge of the alleged loss of a bond for nearly five thousand Rupees from the Moonsiff's court during the progress of a suit .. .. .. .. | vi. | 569 |
| Noticed the careless mode in which a Session Judge has entered dates. In one sentence an English, in another a Hindoo, date is given. One or other, or both together, ought to be adopted throughout a trial .. .. .. .. .. .. .. | vi. | 717–718 |
| One Babajee Mahadeo petitions the Sudder, praying order to the Session Judge to allow certain convicts (his relations) to petition the Court, the Judge having refused their request .. .. | vi. | 782–783 |
| Held as incorrect the proceedings of a Session Judge in discharging, without trial, a prisoner's brothers and uncles who had been committed for trial together with him. If required as witnesses, they should have been pardoned, and their evidence taken according to law .. .. .. .. .. .. .. | vi. | 793 |

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| A prisoner having been committed for trial to the Sessions Court, it was not competent to the Session Judge to transfer him to other authority, or dispose of him, except in due course of law .. .. .. .. .. .. .. .. .. | vi. | 794 |
| Section 38 Regulation XIII. of 1827 declares that a prisoner shall be called on for his defence after the evidence for the prosecution is completed; it was irregular in his taking the defence of the accused, and calling his witnesses at the stage he did .. | vi. | 800 |
| A Session Judge has no power to alter a sentence, which should be carried out in the terms of the warrant .. .. .. | vi. | 832 |
| If a Session Judge were not prepared to take the responsibility upon himself, he should have carried out a sentence of corporal punishment on the very day it was awarded .. .. .. | vi. | 832 |
| Session Judge, having referred to his Assistant a case which he should have tried himself, ought, when requiring fresh evidence, to have directed that also to be taken by his Assistant, and not have taken it himself .. .. .. .. .. .. | vi. | 931–932 |
| Session Judge can, under Clause 4 Section 12 Regulation XIII. of 1827, take a trial, referred to an Assistant, into his own hand, but he cannot make further inquiry into a case completed by his Assistant .. .. .. .. .. .. .. | vi. | 932 |
| Noticed a Session Judge's omission to prove that the deposition of the deceased was made in the prisoner's presence, and thus rendering the deposition of no avail as evidence.. .. .. | vii. | 5 |
| A Session Judge should have noticed and reprehended the recklessness and inattention of the witnesses in a case of murder .. .. .. .. .. .. .. .. | vii. | 14 |
| Noticed, in a trial for perjury, that the Session Judge should have proved the prisoners' statements before the District Police Officer and Assistant Magistrate, and have recorded the evidence for the prosecution .. .. .. .. .. .. .. | vii. | 70 |
| *See* also "Perjury." | | |
| A Magistrate alone having power to convict and punish under Section 54 Act XVII. of 1854, the proceedings of an Assistant Session Judge, held under that Act (the Post Office Act), are annulled for want of jurisdiction .. .. .. .. .. | vii. | 258 |
| *See* also "Magistrate." | | |
| Observed, in reference and reply to a Session Judge's remarks, that the Sudder Court is quite satisfied with the rule in Russell's Crimes and Misdemeanours, vol. ii., page 262, that several persons cannot be joined in one indictment for perjury, the crime being in its nature several .. .. .. .. .. .. | vii. | 330 |
| Prisoners, whose trial, as British subjects, in the Rewa Kanta State is annulled, are directed to be made over to be tried by the Magistrate of Kaira and Session Judge of Ahmedabad .. .. | vii. | 372–373 |
| A Session Judge is requested to treat as illegal an order of his predecessor, prohibiting certain parties from acting as counsel in criminal trials .. .. .. .. .. .. .. | vii. | 381 |
| Sent to the Session Judge to carry into effect a resolution of the Government, granting a conditional pardon to a dacoit, and ordering his transfer to the dacoity department.. .. .. | vii. | 385–386 |
| An Assistant Session Judge should not, in the depositions of parties, have admitted hearsay .. .. .. .. .. | vii. | 436–440 |
| Noticed that, in his finding, a Session Judge goes into a detail of circumstances which were not before him in evidence.. .. | vii. | 668 |
| A Session Judge should make himself acquainted with all that the several witnesses deposed to before the Magistrate, and in calling them up should do so in such order as will make the evidence, as much as possible, one unbroken narrative .. .. | vii. | 765–766 |

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| If a Session Judge be not able to obtain from witnesses the same information they gave before a Magistrate, he should show that his failure was not attributable to not asking questions, which ought to have elicited similar answers, but to some other cause .. .. .. .. .. .. .. .. | vii. | 765–766 |
| A Session Judge should record his own finding, and not refer to the Magistrate's remarks .. .. .. .. .. .. | vii. | 768 |
| As, by a Foujdar's own showing, there was nothing to justify his keeping the prisoner in confinement on suspicion, the Session Judge should have examined the peons strictly as to the way in which the prisoners came to confess .. .. .. .. | vii. | 772 |
| A Session Judge should watch and see that no improper influence, or means, are used to obtain confessions, and if he find that any have been used, he should reject the confession and all that resulted from it, the fault resting with the Police (should a guilty man escape) for using improper means to obtain evidence.. | vii. | |
| A Session Judge, when his opinion is at variance with that of the Magistrate, should submit his observations, in the first instance, to that officer for any remarks that he might have to make upon them, and these remarks should then be forwarded to the Court with the proceedings .. .. .. .. .. .. | vii. | |
| Observed that a Session Judge, throughout his finding, and when recording his conviction, and even when passing sentence, omits to mention the prisoner's name, and alludes to him only as the prisoner .. .. .. .. .. .. | viii. | |
| On the infliction of corporal punishment by a Session Judge, and the amount of, and manner in which it may be awarded .. | viii. | |
| *See* also "Corporal Punishment." | | |
| If a Session Judge be of opinion that, by observing a circular, he is defeating justice, he is bound to set the circular aside, and to sentence the convict according to law. The sentence will be legal, and the Session Judge, if he can justify his proceeding, will be doing his duty, which he will not do if he observe the circular, but set aside the law, and allow justice to be defeated .. .. .. .. .. .. .. .. | viii. | 44–45 |
| The Court wish that a Session Judge in passing sentence had discriminated between those circulars of the Court which are interpretations of the law, and those which are issued as advice for the guidance of subordinate officers, and had referred to the law in passing sentence, and not to the circular .. .. .. | viii. | 44–45 |
| A Session Judge is requested to frame his proceedings, in cases in which prisoners plead guilty, in conformity with the provisions of Clause 2 Section 37 Regulation XIII. of 1827 .. .. .. | viii. | 49 |
| Noticed that the protracted manner in which a Session Judge tries cases in which the prisoners plead guilty has already been brought to notice .. .. .. .. .. .. .. | viii. | 79 |
| A Session Judge should not have awarded a ticket of good conduct to a Naik, but have brought what was exemplary in his conduct to the notice of the Superintendent .. .. .. .. | viii. | 97 |
| A Session Judge's doubts as to whether a custom-house peon might not strike with a sword, even at an unarmed fugitive, if he had no other means of securing his arrest, should have been set at rest, and removed by the remarks of the Sudder Judges given in Morris's Reports for October 1856, vol. vi., page 461 .. | viii. | 97–98 |
| Noticed, among other points in the proceedings of an Acting Session Judge, that he is to blame for not seeing that his proceedings are properly entered, and for certifying an incorrect copy of his proceedings to the Court .. .. .. .. .. .. | viii. | 198–199 |
| Noticed the mistakes of an Acting Session Judge in a trial for culpable homicide .. .. .. .. .. .. .. | viii. | 230–231 |

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| Disapproved, as objectionable and entirely useless, an Acting Session Judge's remarks in the last paragraph but one of his proceedings, and he is requested to send a copy of these (the Sudder Court's proceedings) to the Magistrate, lest that officer should be induced to act upon the Session Judge's suggestions.. .. .. .. .. .. .. .. .. | viii. | 252–254 |
| Noticed that a Session Judge records that a prisoner ought to have been punished under a regulation which he (the Session Judge) ought to have known had been repealed.. .. .. | viii. | 287 |
| Noticed an Acting Session Judge's acquittal of a prisoner who had been rightly condemned by his Assistant .. .. .. | viii. | 287 |
| A Session Judge should call for proceedings at once in cases in which he sees that the sentence is manifestly illegal .. .. | viii. | 355 |
| A Session Judge, especially when trying a prisoner for treason, should receive no communication from Government connected with the trial that he would not place on record .. .. | viii. | 477–478 |
| Noticed the evasion of the Court's order, by a Session Judge handing over to the Superintendent of Police two persons of whom the latter demanded security, in addition to that which formed part of the sentence annulled by the Sudder Court .. .. | viii. | 503 |
| Session Judge is reminded that Clause 2 Section 37 Regulation LII. of 1827 declares it unnecessary, on a plea of guilty, to take the evidence, or to do more than read over the deposition which, admitted to be true, proved the charge .. .. .. | viii. | 585 |
| A Judge clearly disobeys the law when he allows a Vakeel to defend a prisoner without, in the first place, showing he is authorised to do so. .. .. .. .. .. .. | viii. | 614 |
| A Judge ought to record the Vakeel's authority, or 'vakeelutnama,' in his proceedings .. .. .. .. .. .. .. | viii. | 614 |
| Session Judges should direct their Nazirs to attest any 'vakeelutnama' a prisoner may wish to send to the Court .. .. | viii. | 614–615 |
| An Acting Session Judge's attention is drawn to a mistake in the register of petitions, in which the crime of a prisoner is described as 'forfeiture of recognisance bond' .. .. .. .. | viii. | 616 |
| A Session Judge should be careful in seeing that the proceedings, which he certifies to the Court as true extracts, are what they purport to be .. .. .. .. .. .. .. | viii. | 651 |
| Noticed that a Session Judge has a bad way of asking leading questions .. .. .. .. .. .. .. .. | viii. | 674 |
| A Magistrate being competent to amend his order as to security, it was needless in the Session Judge to send the case up to the Sudder Court .. .. .. .. .. .. .. | viii. | 681 |
| It cannot be assumed that, because the Sudder Judges did not, as they might have done, express, in cancelling a sentence, their dissent from an opinion of the Session Judge, therefore they adopted that opinion—an opinion which they had not endorsed .. .. .. .. .. .. .. .. | viii. | 708 |
| A Session Judge should not have recorded a prisoner's confession before he had proved it .. .. .. .. .. .. | ix. | 29 |
| A Session Judge should not record an inquest report before he has proved it .. .. .. .. .. .. .. .. | ix. | 29 |
| A Session Judge should not record documents before he has proved them .. .. .. .. .. .. .. .. | ix. | 29 |
| An Assistant Magistrate should not, in committing a prisoner, record 'the prisoner is found guilty, and committed to the Sessions for trial' .. .. .. .. .. .. .. .. | ix. | 71 |
| A Session Judge has no authority, under Section 3 Regulation VIII. of 1831, to order a Magistrate to mitigate his sentence, and a Magistrate is not authorised to yield compliance to such a requisition.. .. .. .. .. .. .. .. | ix. | 72 |

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| A prisoner having been tried by incompetent authority, and for an offence (culpable homicide) with which a prisoner cannot be legally charged, the sentence is annulled, and the prisoner is to be re-committed to take his trial before the Sessions Court for murder .. .. .. .. .. .. .. .. | ix | 73 |
| A Session Judge is requested to explain why, in a trial held before him for conspiracy, the assessors were not sworn .. .. | ix. | 173 |
| A Magistrate, when he annulled a sentence of the Deputy Magistrate, ought to have committed the accused for trial before the Sessions Court, as pointed out to him by the Deputy Magistrate | ix. | 196 |
| Had a Session Judge mentioned in his finding that the prisoners pleaded guilty, he would have saved himself the trouble of forwarding the proceedings in this case to the Sudder Court | ix. | 199 |
| Pointed out to a Session Judge the manner in which he should have conducted a trial for murder .. .. | ix. | [illegible] |
| Observed that an Assistant Magistrate does not, when committing prisoners, ask them whether they have any witnesses to call before the Sessions Court, which he is, by the regulations, required to do .. .. .. .. .. .. | ix. | [illegible] |
| To have tried prisoners under Act XVII. of 1857, the Judge and Magistrate must have been vested, which they are not, with the special powers which that Act requires .. .. .. | ix. | [illegible] |
| *See* also "Magistrate." | | |
| Noticed, with astonishment, a Session Judge hesitating for two days to pass sentence in a case of cool and deliberate murder, and then, in place of passing a capital sentence, recording [illegible] of secondary punishment, to justify him in passing which there is nothing visible on the record .. .. .. .. | ix. | 267–268 |
| Although a Session Judge cannot, by the interpretation of Clause 4 Section 38 Regulation XIII. of 1827, alter a charge, he can amend the wording of one .. .. .. .. .. | ix. | 301 |
| Noticed in a case of murder, that neither the Magistrate nor Session Judge give any reason for not taking the evidence of a person which was requisite to conclude the chain of evidence .. | ix. | 377 |
| Noticed a second instance of a man murdering his wife in which the Session Judge of Dharwar should have, but has not, passed a capital sentence .. .. .. .. .. .. .. | ix. | 390–391 |
| Noticed instance in which a Session Judge might have sent to the Sudder a report, instead of his finding, in a case of murder .. | ix. | 404,407, 410 |
| A Session Judge should have reported that a petitioner only reiterated in his petition what he had urged in the defence he had set up in Court, and that he had failed to establish it .. | ix. | 412–413 |
| The conviction of a prisoner, by the Sessions Court, of 'concealment of attempt at murder after the fact,' is by the Sudder Court amended, and the prisoner convicted of 'concealment of murder after the fact' .. .. .. .. .. .. .. | ix. | 422–423 |
| A Session Judge not having proceeded as contemplated in Section 3 Regulation VIII. of 1827, when referring to the Sudder Court for opinion in a case in which he considered the Magistrate to have been at fault, the case is remitted, and he directed to proceed according to regulation .. .. .. .. .. | ix. | 479 |
| A Session Judge, having called witnesses, ought to have examined them, or assigned some valid reason for not doing so, and not merely have said that he did not consider it advisable .. .. | ix. | 482 |
| Noticed a grave omission of the Sessions Court in not examining the Superintendent of Police, to whom a prisoner is said to have told all he had to confess .. .. .. .. .. | ix. | 534 |
| Noticed that the reasons for the acquittal of a prisoner in the finding of a Session Judge cannot satisfy any one .. .. | ix. | 534–535 |

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| Noticed that the substance of a deposition, in which perjury was committed, is erroneously entered in the Session Judge's extract of proceedings, and that from it no perjury appears .. .. | ix. | 549 |
| A warrant is forwarded to the Session Judge of the Konkun for the transfer of an insane prisoner to the Lunatic Asylum at Colaba .. .. .. .. .. .. .. .. | ix. | 562 |
| The whole of the proceedings and trial in a case of 'treason' are quashed and the Acting Session Judge directed to return the prisoner to the Magistrate, in order that he may proceed against him in accordance with the provisions of Act V. of 1841 .. | ix. | 585 |
| It is no part of the business of the Gaol Karkoons, in the employ of Government, to draw up petitions for prisoners except by the Session Judge's orders; and the Karkoons ought not to be allowed to draw them up in their leisure hours, even if they choose .. .. .. .. .. .. .. .. | ix. | 593 |
| Case of 'escape from custody after sentence' is returned to the Acting Session Judge, as one that does not appear to require the confirmation of the Sudder Court.. .. .. .. .. | ix. | 615 |
| Prisoner convicted of two offences—*first*, for the issue of base and unlawfully coined money; *secondly*, for unlawful coining—was sentenced, and the sentence was not excessive, to imprisonment with hard labour for five years, but, as Section 18 and Clause 2 of Section 19 Regulation XIV. of 1827 are quoted as authority for the sentence, and the prisoner has been convicted under that clause for the issue of base money, and as, for the offence punishable under that clause, the sentence is one of fine, and not of unconditional imprisonment, the Court annul the sentence, and request that the Assistant Session Judge may be directed to pass a legal sentence .. .. .. .. | ix. | 623 |
| The observations of Mr. R. H. Pinhey, in a trial for murder, are noticed for the sagacity and penetration they display .. .. | x. | 47 |
| Noticed a case of 'appropriation of property, by breach of trust,' which ought to have been committed for trial to the Sessions Court, and not have been disposed of summarily by the Deputy Magistrate.. .. .. .. .. .. .. .. | x. | 63 |
| Circular No. 32, of the 18th May 1830, shows that confirmation is only required when the period of imprisonment is increased, and not when a sentence is made heavier by stripes, as that is a power the Session Judge has for the preservation of jail discipline .. .. .. .. .. .. .. .. | x. | 70 |
| A case of 'robbery, with force, by night; and detaining a person in unlawful confinement,' ought to have been committed to the Sessions, and not left to have been disposed of by the Deputy Magistrate.. .. .. .. .. .. .. .. | x. | 80 |
| A Session Judge ought to have mentioned in the proceedings the evidence he read over to the prisoner, and have sent up translations of those papers with the case, or have entered the substance of them in his record.. .. .. .. .. | x. | 106 |
| A case is returned to the Session Judge, and he directed to proceed according to his view of the law, which the Sudder deems correct .. .. .. .. .. .. .. .. | x. | 123 |
| A Session Judge, in acquitting parties accused of causing death by poisoning, should have added to what he had recorded, 'that it cannot be proved that death was caused by any poison at all' .. .. .. .. .. .. .. .. | x. | 138 |
| A Session Judge is requested to specify the evidence he reads, and give the purport, or a translation of it .. .. .. .. | x. | 172 |
| Noticed instance in which the prisoners, in a case of 'gang robbery, with force, by day,' should have been tried and sentenced to transportation for life by the Session Judge .. .. | x. | 259 |

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| Noticed that it would have been better, perhaps, if a Mahalkuree (subsequently dismissed) had been committed to take his trial for extortion before the Sessions Court .. .. .. .. | x. | 294 |
| The reason assigned by an Acting Session Judge for not passing a capital sentence upon a man for the murder of a woman, because she was esteemed a witch, is inadmissible .. .. .. | x. | 356 |
| Noticed instances which should have served a Session Judge as precedents in sentencing a man for the murder of a woman reputed to be a witch .. .. .. .. .. | x. | 357 |
| A Mookhee, convicted of perjury by the Sessions Court, is by the Sudder Court, acquitted .. .. .. .. .. .. | x. | 407-411 |
| A case, pending in appeal before the Session Judge, cannot, until the case be decided by him, be brought before the Sudder Court. | x. | 457-458 |
| A Session Judge is informed that, although a prisoner may have petitioned the Sudder Court before, he should not be prevented signing a 'vakeelutnama,' to be filed in that Court .. .. | x. | |
| The reference of a Session Judge is returned, and he informed that Clause 2 Section 22 Regulation XIII. of 1827 is the only provision which authorises the reference of a case for the opinion of the Sudder .. .. .. .. .. .. | x. | |
| Noticed that a Session Judge should, in the trial of a case, have arraigned the witnesses differently .. .. .. | x. | |
| Observed that, in taking down a prisoner's statement in a case of perjury, the Amuldar appears to have entered, almost word for word, what the prisoner said before the Sessions Court. The prisoner could hardly have recollected what he said in the Sessions Court so accurately as this, and his statement has the appearance of being made for him, rather than by him .. .. .. | x. | 351-352 |
| A Session Judge ought not to refer in his finding to his own knowledge of the facts of a case .. .. .. .. .. | x. | 743 |
| An Assistant Session Judge is to be directed to find some other method of prevention against the throwing of tobacco, opium, &c. to the prisoners over the jail wall than that of proclamation by a Magistrate .. .. .. .. .. .. | x. | 770 |
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| Crimes arising at Akulcote, involving capital punishment, imprisonment for life, or transportation, are to be tried by the Collector of Sholapore at some place not subject to the regulations; the trial of all other cases is to be left to the Raja of that estate .. | vii. | 274 |

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| Signature, | | |
| The opinion of a jury, that a signature was forged, based, as that was, upon a comparison of signature, with which they were not familiar, is not admissible as evidence conclusive of the fact of forgery .. .. .. .. .. .. .. .. | i. | 87- 88 |
| Noticed instance in which the inquest report and statement of a deceased person are not proved as documents attested by witnesses; they should be proved by the witnesses recognising their signatures .. .. .. .. .. .. .. | i. | 673-674 |
| The way to prove an inquest report, or any document bearing the signature of witnesses, is not by reading it over to them, but by showing them their signatures, and on their recognising these, discovering what the document is .. .. .. .. | ii. | 6 |
| The persons who signed an inquest report being able to write, the Session Judge should have shown them their signatures, and on their recognition of them, have proved the document, and not have read it over to them first, and then called on them to prove it .. .. .. .. .. .. .. | ii. | |
| Witnesses examined to prove documents should not be asked whether they have known the person, or attested his signature or deposition at such a place, but the document, or deposition, should be shown to them, and they asked whether they know the handwriting, or signatures, and upon their recognising these, they should be examined as to the circumstances under which they wrote, or attested the document .. .. .. .. | ii. | |
| The examination of attesting witnesses need not include a recapitulation of what, in the deposition, they attested; it is sufficient that they were in Court and heard the deposition given; saw the Karkoon take it down; heard what he took down read over to the deponent; that it was the same as he had dictated; that he acknowledged and signed it; and that that is the document upon which he has recognised his signature .. | ii. | 283 |
| A party, refusing to sign the confession of a prisoner at the requisition of the District Police Officer, who is empowered to require it, was properly punished with a fine .. .. .. | iii. | 728 |
| A prisoner convicted of fraudulent appropriation of money, having presented in his defence an order under the seal and signature apparently of the Mamlutdar, the order is sent to the Magistrate, and he directed to report upon it as bearing upon the present case .. .. .. .. .. .. .. .. .. | viii. | 750 |
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| Siman, *alias* Sarung.—Escape from custody after sentence .. .. | vi. | 78- 80 |
| Sirwuntapa wulud Eshwuntapa.—Praying for an order to inquire into a charge of bribery against the Moonsiff of Hipurga .. .. | vi. | 825-827 |
| Sister, | | |
| The act of a sister arraigned for 'interference and endeavouring to defeat the ends of justice,' in making signs to her brother, while deposing before the Court, to criminate himself no further, being considered natural and unblameable, the conviction and sentence are annulled .. .. .. .. .. .. | v. | 568 |
| The Government commute, to transportation for life, the sentence of death passed upon a boy (aged sixteen) for the murder of his sister (aged ten years) .. .. .. .. .. .. | vi. | 132 |
| *See* also "Sentence." | | |

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| A prisoner (aged twenty-eight), convicted of rape on his sister (aged ten), is sentenced by the Sudder to six months solitary confinement, to be followed by seven years imprisonment with hard labour, and terminated by six other months of solitary confinement .. .. .. .. .. .. .. | vi. | 298 |
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| [illegible] Bejsagur.—Forgery .. .. .. .. .. .. | i. | 189–190 |
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| [illegible] sworn deposition of a prisoner, as evidence for the prosecution, ought not to have been recorded, his examination before the Police, on affirmation, not being admissible against him .. | i. | 70 |
| A witness should have been put on solemn affirmation before he began to interpret.. .. .. .. .. .. .. | ii. | 268 |
| The name, age, sect, religion, and profession of a witness should, as directed in Clause 1 Section 36 Regulation XIII. of 1827, be ascertained, and entered after the witness has been put on solemn affirmation.. .. .. .. .. .. .. | iii. | 129 |
| Noticed on a trial for perjury, that it should have been more distinctly set forth that the prisoner had deposed on solemn affirmation .. .. .. .. .. .. .. .. | iv. | 971 |
| The testimony of two children one of six, and the other of seven, years of age, should have been taken on solemn affirmation, according to Act II. of 1855 .. .. .. .. .. | vi. | 465 |
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| The case of a woman illegally dispossessed of property by parties on the plea of preserving it for her son, should not have been entertained by the Magistrate, who, if he did not punish the defendants, should certainly have replaced the woman in possession until she was dispossessed by law .. .. | v. | [illegible] |
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| Noticed the great care, zeal, and ability displayed by Azim Vitul Suddashew Bhidé, Mamlutdar of Sooverndroog, in the original inquiry into a case of conspiracy .. .. .. .. .. | x. | 47 |
| Sorcerer, Sorcery, | | |
| A proclamation, prohibiting 'dehroo,' and the practice of magic, sorcery, and witchcraft, is directed to be recalled, the Court thinking that no sufficient grounds have been given for its issue, and that it is better not to agitate men's minds by the proclamation of such an order .. .. .. .. .. | viii. | 256 |
| Murder of a man because thought a demoniac, dealer in evil spirits, or sorcerer .. .. .. .. .. .. | ix. | 1– 15 |
| Sowar, | | |
| A Session Judge should have convicted of murder three Sowars, who, in conveying an unarmed prisoner to Sanund, did, on his attempting to escape, kill him, on the plea that that was the only way of preventing his escape .. .. .. .. | vi. | 461–462 |
| A reward of fifty Rupees is, under Clause 3 Section 33 Regulation XII. of 1827, given to sowar Bhow bin Rajharao for apprehending a robber .. .. .. .. .. .. .. | vi. | 520 |
| Sowcar, or Sahookar, | | |
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| Noticed in a case of murder, instance in which no special finding ought to have been recorded, as the prisoner, from the Civil Surgeon's report, would appear to have been feigning madness, and to be by no means insane .. .. .. .. .. | vi. | 2[illegible] |
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| [illegible] always ill-judged in the Police to make, in cases of [illegible], all by-standers and spectators prisoners.. .. .. | v. | 32 |
| [illegible] officers are requested to adhere to custom and the old [illegible] well-received modes of spelling well-known names.. .. | vi. | 416 |
| [illegible] names are to be spelt in the way in which they are spelt in [illegible] regulations .. .. .. .. .. .. | x. | 266 |
| [illegible] Mr. J. R. | | |
| [illegible] Sudder Court concur in the Session Judge's approval of the very able manner in which a case of no ordinary difficulty was conducted by the Deputy Magistrate—Mr. J. R. Spiers .. | i. | 547–549 |
| Spot, | | |
| The persons who made the plan of a scene of murder should have been examined to prove that it was a true representation of the several spots to which the witnesses had referred in their deposition.. .. .. .. .. .. .. .. .. | ii. | 7 |
| A witness should have been examined more closely as to the spot whence the corpse of the murdered man appeared to have been dragged .. .. .. .. .. .. .. .. | ii. | 198 |
| Stack, | | |
| In a case of 'setting fire to reaped crops,' the Session Judge should have recorded, what appears in the Assistant Magistrate's proceedings, that the stacks were about one hundred yards apart.. | ii. | 411 |
| Stain, | | |
| In all cases where stains, supposed to have been produced by blood, are deemed important evidence for the prosecution, the articles containing them should be submitted for analysis by the Civil Surgeon, whose deposition should be taken, as being the only evidence to be relied upon .. .. .. .. .. | ii. | 582 |
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| Stake, | | |
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| *See* also "Injunction," "Notice," "Order," "Proclamation." | | |
| Stall, | | |
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| Stamp, | | |
| For post office stamp, *see* "Post Office." | | |
| State, | | |
| Act I. of 1849 provides more effectually for the punishment of offences committed in foreign states .. .. .. .. | v. | 626–627 |

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| A Magistrate cannot decline to inquire into a charge within his jurisdiction to dispose of, and an application to the Government, or Political Agent, in a neighbouring state, cannot give him jurisdiction if he do not, as a Magistrate, possess it .. .. .. | vi. | 914 |
| Statement, | | |
| Inquiry might surely have been made into the statement of a prisoner who averred he killed his wife under the influence of excitement, arising from the belief that she had improper connection with another man .. .. .. .. | i. | 18 |
| Omission to forward any record, or evidence, by which it could be seen whether a statement was material to the issue of a case in which it was given, rendered it impossible to judge of the relative magnitude of the offence, or the circumstances under which it was committed .. .. .. .. .. | i. | |
| The statements of such as are too young or too ignorant to be sworn, cannot be taken .. .. .. .. .. | i. | |
| The inquest report and statement of a deceased person are not proved, as documents should be proved, by the witnesses recognising their signatures .. .. .. .. .. | i. | |
| The prosecution is injured by any statement made by a prisoner not advantageous to himself, being omitted on the trial .. | i. | |
| A prisoner's statement, made before the Police, has not been recorded as it should have been .. .. .. | i. | |
| Noticed the impropriety of having allowed the statement of one prisoner to weigh against that of another .. .. | ii. | 7–8 |
| The deposition of a prisoner is said to be disbelieved, nevertheless a statement he deposed to therein is assumed as true .. .. | ii. | 119 |
| A statement, for the purpose of establishing an *alibi*, not being corroborated by the witnesses called to prove it, became evidence for the prosecution, and as such, the Session Judge should have proved it, and have examined the witnesses, originally called for the defence, for the prosecution .. .. .. | ii. | 139–140 |
| The statements of two prisoners, not having been proved and recorded neither for the prosecution nor for the defence, should not have been referred to when cross-examining the witnesses for the defence .. .. .. .. .. .. .. | ii. | 198 |
| Statements made before the District Police Officer should have been proved and recorded.. .. .. .. .. .. | ii. | 223 |
| The excuse of a District Police Officer for not taking the statement of a woman, nor administering the affirmation, because, had the woman lived, she would have been subject to a criminal prosecution herself for abortion, is altogether inadmissible .. .. .. .. .. .. .. | ii. | 272 |
| The written statement of a prisoner, as to what she had said before the District Police Officer, being recorded in the defence, witnesses in regard to this (her statement) need not have been examined for the prosecution .. .. .. .. .. | ii. | 278 |
| Noticed the discrepancy between the report of a Session Judge and the statement of a witness relative to the same subject .. | ii. | 407 |
| Noticed failure to record the substance of a prisoner's statement, and to quote the regulation under which he was punished .. | iii. | 225 |
| Conviction could not be allowed to the unsupported statement of a woman who had admitted having accused another prisoner falsely because she thought it would be pleasing to the Police .. .. .. .. .. .. .. .. | iii. | 834 |
| Noticed instance in which the statements of a female, and other prisoners, should have been recorded for the prosecution .. | iv. | 99 |
| No prisoner can implicate another on trial with him; and no prisoner's statement should be allowed to affect the position, before a court, of his companion at the bar .. .. .. .. | iv. | 595 |

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| As a prisoner did not, in his defence, express a wish, as the other prisoners did, that his former statement should not be recorded, it ought to have been recorded .. .. .. .. .. | iv. | 711 |
| A prisoner's statement should not have been taken as corroborative of the evidence of his comrade .. .. .. .. .. | v. | 288 |
| Statements as to general character should be taken after conviction in aggravation of punishment, not as evidence to prove the charge. | v. | 542 |
| An Assistant Magistrate should not have asked the prisoners on trial before him any questions but whether they were guilty or not guilty, and whether their statements were true or false .. | v. | 655–656 |
| To constitute perjury, it suffices that the statement be false, without reference to the benefit, or injury, it is intended to effect .. | v. | 776 |
| Statement of one prisoner against another cannot be relied upon. | vi. | 58 |
| Second instance in which, by recording the statement of a prisoner in his admission only, instead of proving it, the case had to be remanded for correction, and the prisoner was kept confined for three months under a sentence of death, which, until the proceedings were complete, the Court could not confirm .. | vi. | 63 |
| Having, but refusing to adduce before a Deputy Magistrate, statements in defence of his conduct, has only himself to blame for not conforming to the laws .. .. .. .. | vi. | 284 |
| Prisoners should not be put on their trial for perjury on two charges —one, for having deposed in the affirmative; the other, for having deposed in the negative; the Judge should satisfy himself which statement is false, and try the prisoner for perjury in having made that statement .. .. .. .. .. | vi. | 316 |
| A prisoner's statement might not appear probable, but if it be possible, and there be nothing adduced to show it be not, it is safe to convict .. .. .. .. .. .. .. | vi. | 677 |
| The deposition first given must be assumed to be true until the prisoner proves the facts which, he says, induced him to make a false statement .. .. .. .. .. .. .. | vii. | 591 |
| Because a deceased person's statement could not be proved, because it was not attested, and because it was not taken when the deceased was in expectation of death, are no reasons for not using and recording it as evidence .. .. .. .. | viii. | 53 |
| The statement of a deceased person might have been proved by the Karkoon who wrote it, or by the District Police Officer by whom it was taken, and so long as it was taken in the prisoner's presence and on affirmation, the prisoner having power to cross-examine the witness, it was good evidence, and, after the deponent's death, might, under Clause 7 Section 34 Regulation XIII. of 1827, have been used against the prisoner .. .. .. | viii. | 53 |
| Noticed in a trial for perjury, that giving two contradictory statements on solemn affirmation does not necessarily amount to perjury | viii. | 336 |
| A deceased person's statement should not have been recorded before it was proved that he was dead .. .. .. .. | viii. | 669 |
| Furnishing false statements and accounts, Rutnajee Pootlajee, and five others .. .. .. .. | ix. | 135–160 |
| A man should not be tried for perjury because the trying authority, trying a case in which he was witness for the defence, obtained from him a statement which, having no reference to the defence, he did not come prepared to make, and which cannot therefore be held to be wilful .. .. .. .. | x. | 604 |
| Observed that a prisoner's statement appears to have been made for, rather than by him .. .. .. .. .. .. | x. | 651–652 |
| Statements taken before the Police officer, in the absence of the accused, cannot be considered as depositions to be used against him on a trial before the District Police Officer, or Assistant Magistrate .. .. .. .. .. .. .. .. | x. | 680 |

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| The evidence of persons interested in establishing the truth of their statements cannot, unsupported by other testimony, be held sufficient to convict a prisoner .. .. .. .. .. | x. | 716 |
| *See* also "Deposition," "Evidence," "Prisoner," "Witness," "Trial." | | |
| **Statute,** | | |
| Penal statutes must be construed strictly .. .. .. .. | iv. | 576 |
| **Steamer,** | | |
| Notice by the Magistrate of Surat, prohibiting boats from approaching steamers until they cast anchor .. .. .. | ix. | 213–214 |
| Steamers and all other craft are prohibited from anchoring, or dragging anchor, at that part of the Taptee river along the bottom of which the electric cable is laid. .. .. .. .. | | |
| **Stick,** | | |
| Notice regulating the procession of taboots, and forbidding people from carrying arms of any description, or sticks, when accompanying taboots .. .. .. .. .. .. .. | viii. | |
| *See* also "Assault," "Murder." | | |
| **Stocks,** | | |
| Noticed the extremely reprehensible conduct of a village Mookhee in allowing a captured man to be removed from the stocks and taken away by two persons, by whom he was subsequently murdered .. .. .. .. .. .. .. | viii. | |
| **Stolen Child,** | | |
| Child-stealing, Nana wulud Mahadeosett, and another .. .. .. .. | i. | 34– 38 |
| Child-stealing; and receipt of a child, knowing or having evident ground for suspecting it to be stolen, Oosman wulud Kurcem, and another .. .. .. .. | iv. | 29– 32 |
| Noticed in a case 'of child-stealing,' &c., that the second count, that of 'receiving a child, knowing or having evident ground for suspecting it to be stolen,' was manifestly improper .. | iv. | 29– 32 |
| Stealing a child; and receipt of a child, knowing or having evident ground for suspecting it to be stolen, Sukoo, son of Baloo .. .. .. .. .. .. | v. | 804–808 |
| Ditto ditto .. .. .. .. .. .. | vi. | 543–544 |
| There being no punishment for harbouring, or receiving, a stolen child, under Clause 2 Section 33 Regulation XIV. of 1827, and a woman sentenced under that regulation for 'child-stealing,' being guilty to the extent only of harbouring, or receiving, the sentence passed upon her is annulled .. .. .. | v. | 807–808 |
| The Hindoo law officer having declared the offence of 'receiving a child, knowing it to be stolen, and so offending against the law of her faith,' punishable by fine, at the Court's discretion, the case is remanded, that a legal sentence of fine, or, in default, imprisonment, may be awarded .. .. .. .. .. .. | vi. | 544 |
| *See* also "Session Judge." | | |
| Stealing a child from its parents; and robbery, with force, by day, Lubdheechund Gooroo Goonchund, and another .. .. | vii. | 275–279 |
| **Stolen Property,** | | |
| The non-production of any of the stolen property is made one of many grounds for annulling the sentence passed upon a prisoner. | i. | 601 |
| A man found, soon after a robbery, in possession of the stolen property, is the thief, unless he proves that he has become possessed of it in some way other than by stealing .. .. | ii. | 511 |
| Property lodged in Court as stolen, or suspected property, should not be confiscated, but held in deposit for the owner, who may succeed in establishing a claim to it .. .. .. .. | iv. | 148 |

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| Village responsibility for stolen property in Guzerat .. .. | iv. | 765–773 |
| Noticed instance in which the unwarrantable seizure and carrying off of money by a Police officer, on mere and unwarrantable suspicion of its being stolen, was the exciting cause of a riot and breach of the peace .. .. .. .. .. .. | v. | 242 |
| The regulations do not punish people for being in possession of stolen property: they only punish them for receiving it .. | v. | 525 |
| A person having been acquitted of the charges preferred against him, no delay ought to have taken place in giving him possession of the property found in his house, and which was suspected, but not proved, to be stolen .. .. .. .. .. | v. | 848 |
| The order is annulled calling upon a man to give security to the ...t of one thousand Rupees, because some cotton found in ...down was suspected to be stolen .. .. .. .. | vi. | 810 |
| ...ing a man in custody, and letting peons question him, is not ...e proper way to trace stolen property .. .. .. .. | vii. | 772 |
| ...value of the stolen property should have been entered in the ...ge .. .. .. .. .. .. .. .. | x. | 265 |
| ...to "Possession," "Property," "Receiving Stolen Property," ..."Robbery," "Gang Robbery." | | |
| ...ed in a case of murder by poisoning, that the contents of the ...stomach only appear to have been subjected to examination, ...but the stomach itself should have been tested for traces of ...poison by arsenic .. .. .. .. .. .. .. .. | ix. | 611–612 |
| Story.—*See* "Statement." | | |
| Stray Animals (cattle, dogs, &c.), | | |
| Clause 3 Section 19 Regulation XII. of 1827 does not require that a proclamation shall be issued by the Magistrate before impounding stray cattle, among which those known as 'poles' are included .. .. .. .. .. .. .. | iv. | 721 |
| Injunction to muzzle and keep dogs from straying, or they will be killed .. .. .. .. .. .. .. .. | viii. | 109–110 |
| *See* also "Injunction," "Notice," "Order," "Proclamation." | | |
| Street.—*See* "Injunction," "Notice," "Order," "Proclamation," with reference to the roads, streets, thoroughfares, &c. of towns, or cities. | | |
| Stripes.—*See* "Corporal Punishment." | | |
| Sub-Collector, | | |
| If the powers vested in a Sub-Collector are not sufficient to secure the revenue, he should apply to the Legislature to have those powers extended .. .. .. .. .. .. .. | vi. | 188 |
| Subedar, | | |
| It is requested that the admonition of the Session Judge to a Subedar of the Kolee Corps may be communicated to the Superintendent of Police .. .. .. .. .. .. | iii. | 711 |
| Subject, | | |
| A prisoner was very properly discharged untried from the bar, who, being a subject of His Highness the Guicowar, was charged with an offence committed in His Highness's dominions .. | ii. | 112 |
| The crime with which a prisoner (a subject of His Highness the Guicowar) was charged, not having been committed within the jurisdiction of the Sudder Court, the Judge could not have punished the prisoner for it .. .. .. .. .. | ii. | 259 |
| When a subject of the British Government, charged with having committed an offence in foreign territory, is apprehended and delivered up to the custody of a Magistrate, the Magistrate shall report the case to Government: to observe the provisions of the Act is incumbent on the Magistrate alone—the Session Judge is not obliged to take any notice of it .. .. .. | v. | 626–627 |

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| If a Magistrate commit a British subject charged with an offence committed in foreign territory, the Session Judge must try the case, and if the charge be proved, must punish for it, for the offence is penal under Section 2 of Act I. of 1849 .. .. | v. | 626–627 |
| A notorious offender, failing to give security, if not a native of the zillah, nor a British-born subject, he can be expelled .. | vi. | 576 |
| British subjects, committing offences within British territory, are not subject to foreign jurisdiction, because the false evidence (forged documents) which they prepared in British territory was used in foreign territory .. .. .. .. .. | vii. | 367–373 |
| British subjects, conspiring in foreign territory, might be tried in that territory, but not for 'forgery, and tampering with books' committed within British jurisdiction .. .. .. | vii. | |
| British subjects can be tried within British territory not only for the acts committed within that jurisdiction, but for any offence committed in the Rewa Kanta .. .. .. .. | vii. | |
| Certain British subjects having been tried and sentenced in the Rewa Kanta for forgery committed within British territory, but uttered in the Rewa Kanta state, the trial and sentence was, by Government, at the recommendation of the Sudder Court, annulled, and direction given to have the prisoners made over to be tried by the Magistrate of Kaira and Session Judge of Ahmedabad, before whom the Dufturdar of the Rewa Kanta could, through the Political Agent, be invited to attend to conduct the prosecution .. .. .. .. .. | vii. | 367–37 |
| Subordinate, | | |
| The trial by a Deputy Magistrate of a subordinate, having been disapproved of by the Magistrate, he should have annulled the conviction, and himself have committed the case to the Sessions Court .. .. .. .. .. .. .. | ii. | 61 |
| A Zillah Magistrate has the power to mitigate, or annul, the penalty of a security, or recognisance bond, exacted by one of his subordinates .. .. .. .. .. .. | iv. | 360 |
| The practice of Police officers delegating the examination of prisoners accused of crimes to their subordinates of the lowest order should be strictly forbidden .. .. .. .. | iv. | 440 |
| A Joint Magistrate should not countenance in his subordinates, or attempt to palliate their taking upon themselves powers which the law does not accord them .. .. .. .. .. | vi. | 188 |
| Subornation, | | |
| Noticed instance in which a prisoner, if indicted at all, should have been charged with 'subornation of perjury,' and not with 'obstructing the course of public justice' .. .. .. .. | ii. | 557–562 |
| Subornation of Perjury, | | |
| Mugun Nurshé .. .. .. .. .. .. .. | iv. | 963–968 |
| A Session Judge, being called upon, replies that the charge against a Vakeel, of suborning evidence, appears devoid of proof .. | iv. | 160 |
| The specific perjury must be proved before the prisoner can be found guilty of subornation .. .. .. .. .. | iv. | 968 |
| In cases of perjury, imprisonment, as well as fine, should be awarded, as the latter may reach and affect the suborner .. | v. | 115 |
| Substance, | | |
| The deposition of an accused person should be recorded at length, and not its substance only be given .. .. .. .. | ii. | 652 |
| The depositions of two persons, which were read in a trial for murder, should have been translated, and their substance entered in the proceedings, under printed circulars No. 14, of the 20th March 1828, and No. 31, of the 14th March 1830 .. .. | ix. | 500 |
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| Sudasew Ramchunder, and another.—Conspiracy, or combination to defeat the ends of justice .. .. .. .. .. .. | vi. | 448–456 |
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| Sudder death. | | |
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| Foujdaree Adawlut. | | |
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| [illegible] confirmation of the Sudder Court was not required to a sentence awarding, for culpable homicide, imprisonment for five years, the first eleven months of each year being with hard labour, and the last, or twelfth month, in solitary confinement .. | i. | 462–464 |
| The various articles connected with a trial should not be returned to the Magistrate until the case is finally decided by the Sudder Court .. .. .. .. .. .. .. .. | ii. | 8 |
| A petition to Government against the orders of the Magistrate, is by the Government referred to the Sudder Court .. .. | ii. | 656–657 |
| Noticed instance in which a Magistrate should have referred a case of forfeiture of security to the Sudder Court .. .. .. | ii. | 746 |
| The Sudder Court object to flogging just before release from jail, and think that some other period should always be fixed for its infliction .. .. .. .. .. .. .. .. | iii. | 83 |
| A Magistrate is not competent to reduce the amount of a forfeited penalty, but must refer, for that purpose, to the Sudder .. | iii. | 116 |
| Whether a notification be special or general, the law requires that a copy of it should be submitted to the Sudder Foujdaree Adawlut .. .. .. .. .. .. .. .. | iii. | 343 |
| A Magistrate is not empowered to issue proclamations, except in the matter specified in Section 9 Regulation XII. of 1827, when a copy of the injunction must be forwarded to the Sudder Foujdaree Adawlut .. .. .. .. .. .. .. | iii. | 290 |
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| An Assistant Magistrate is in error in holding that the evidence of a wife against her husband is not legally admissible. The Judges of the Sudder Court have held it inexpedient to use it as a general rule, but cases may occur demanding a deviation .. | iii. | 417 |
| Noticed that a petitioner's delay in appealing has shut him out from the further interference of the Sudder Court .. .. | iii. | 547 |
| Allowing a convict to petition the Sudder Foujdaree Adawlut .. | iii. | 565–567 |
| As the Court see no reason why a convict should not be allowed to petition, the Sudder Court direct that permission should be given him to do so .. .. .. .. .. .. .. | iii. | 566–567 |
| Noticed cases in which distress should not have been enforced before the Sudder Court reviewed the trial, as the cases of all | | |

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| the prisoners were subject to review, though the sentences of all did not require the confirmation of the Court | iii. | 594 |
| In answer to the reference of a Session Judge, that officer is informed that the Sudder can neither direct nor forbid any further prosecution of the individual in question, and that the Magistrate must be left to act under his own view of the case | iv. | 502 |
| A Magistrate should issue such notification as he may consider necessary, and thereafter refer to the Sudder, who, if they disapprove of it, will direct its recall, or otherwise it will remain in force | v. | 24 |
| Merely because an offence may have been called by a wrong name, the Court will not, after the lapse of so much time, interfere | | |
| The Sudder Court refuse to interfere in a charge of perjury still under investigation | | |
| Disobedience of the orders of the Sudder Foujdaree Adawlut by a Magistrate | vi. | |
| A Joint Magistrate is informed that he cannot be allowed to send to the Court his comments on their orders. If he thinks they are given under a mistake, he might point out the mistake; and if he think himself aggrieved by their remarks, he should appeal to Government | vii. | |
| The copy of a notice of injunction, addressed to one individual only, need not be sent to the Sudder | viii. | |
| The Sudder object to corporal punishment being inflicted without allowing the prisoner time to appeal | viii. | 44 |
| In England, if one count of an indictment be bad, a general judgment for the offences aforesaid is also bad, but the Sudder Courts of India are not bound by the same rule | viii. | 486–487 |
| The Sudder Court is not merely a court of appeal, but in a measure, as regards referred cases, a court of original jurisdiction also. | viii. | 486–487 |
| The Nazir is to attest any 'vakeelutnama' a prisoner may desire to send to the Court | viii. | 614–615 |
| A petitioner is informed that an appeal from the sentence passed upon him by the Deputy Collector, for a breach of the Opium Farm Regulations, lays to Government, and not to the Sudder. | ix. | 617 |
| A proceeding is not necessarily correct because the reviewing Judges did not notice it | ix. | 384 |
| A case pending in appeal before the Sessions Court cannot, until the case be decided by the Session Judge, be brought before the Sudder | x. | 451–452 |
| Though a prisoner may have petitioned the Court before, he should not be prevented signing a 'vakeelutnama' to be filed in that Court | x. | 475 |
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| The Court suggests to the Magistrate the propriety of cancelling the 'sunnud' of one Shamrow Mhadow, as Police officer of the village of Yutnal, for perpetrating, and encouraging others to perpetrate, an outrageous assault | | |
| Sunnud of a Vakeel cancelled | ii. | |
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| Superintendent of Police, | | |
| Noticed the illegal proceedings of the Superintendent of Police and First Assistant Magistrate, who, though neither of them were vested with authority to pardon, yet, notwithstanding, promised pardon to a prisoner, and took his evidence as approver | iii. | 596–603 |
| Noticed as very objectionable and illegal, that the evidence of the Superintendent of Police was taken although he was conducting the prosecution, and that, when the evidence for the defence was going on, he was called into the witness-box to contradict one of the deponents | iii. | 599–600 |
| Requested that the admonition of the Session Judge to a Subedar of the Kolee Corps may be communicated to the Superintendent of Police | iii. | 711 |
| Noticed a case of 'robbery, with force,' in which, if the Superintendent of Police had not proceeded to the scene of assault ten days after its commission, it is probable, so remiss were the Police, that no evidence would have been obtained against the prisoners | iv. | 985–986 |
| A Magistrate has no power to forbid, even at the requisition of the Superintendent of Police, a native resident of the city of Poona, from going within the camp limits of that city, nor to take security from him to that effect, the order for which must be annulled | v. | 50–51 |
| A Magistrate is requested to call upon the Superintendent of Police to explain his proceedings, and state the orders he really gave a witness in a case of conspiracy | v. | 738 |
| Noticed instance in which, contrary to the direction of circular No. 411, the evidence of the witnesses was not taken by the Superintendent of Police in the presence of the prisoner, although the prisoner was in attendance at the time | vi. | 114 |

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| A Superintendent of Police, being responsible for the way in which his orders are executed, is enjoined to be careful that his peons fully understand his orders, and do not exceed them .. .. | vi. | 151 |
| A Magistrate and Superintendent of Police have no power to banish a man the zillah, except upon his failing to give security .. .. .. .. .. .. .. .. | vi. | 885 |
| The attention of the Superintendent of Police is called by Government to the circumstances of an assault committed by certain members of that body, and the Superintendent directed to inquire who were on duty at Tanna on the night in which the assault in question was conducted, and to institute an inquiry into the conduct of the Policemen who gave evidence in favour of the offending Policemen .. .. .. .. | vii. | 754–755 |
| ...but Magistrate should not have awarded a ticket of good conduct to a Naik, but have brought what was exemplary in his conduct to the notice of the Superintendent .. .. .. | viii. | 96 |
| ...son holding a 'puttah' for a village in Guzerat under the 'Girassee' tenure, having failed to comply with the orders of Government, and to become security for that village, a 'mohsul' ...orders of the Superintendent of Police, placed upon him. | ix. | 368 |
| ...ced a grave omission of the Sessions Court in not examining the Superintendent of Police, to whom a prisoner is said to have related all he had to confess .. .. .. .. | ix. | 534 |
| The natives of the Dhurwar district are, by notice, prohibited from entertaining foreigners in their service without permission from the Magistrate, his Assistant, or the Superintendent of Police .. .. .. .. .. .. | x. | 84–85 |
| The receipt of a bribe appears to have been brought most naturally to the notice of the Superintendent of Police, who very properly inquired into it .. .. .. .. .. .. .. | x. | 680 |
| **Superintendent of Thuggee.**—*See* "Superintendent of Dacoity." | | |
| **Supineness,** | | |
| Noticed the supineness of a Moonsiff, and his doing all in his power to screen a prisoner—the Nazir of his own (the Moonsiff's) court .. .. .. .. .. .. .. .. | i. | 324–327 |
| Noticed the supineness and neglect of a Police Patel and his First Karkoon in a case of murder .. .. .. .. | i. | 117 |
| **Suppression,** | | |
| Noticed in a case of 'robbery, with force, by night,' the shameful misconduct of the Police Patels and Government servants in endeavouring to suppress the charge against the prisoners .. | vi. | 227 |
| **Suproo wulud Ruhiman Khan.**—Praying that an order, calling upon him to furnish security to the amount of one thousand Rupees, might be cancelled.. .. .. .. .. .. .. .. | vi. | 824 |
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| Remarked of offenders in Zillah Surat that they seem almost invariably to admit their guilt on accusation by the Police .. | vi. | 426 |
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| The fine imposed on a surety for the forfeiture of a security bond is remitted, at the recommendation of the Magistrate, and directed to be returned to the surety .. .. .. .. | iii. | 568 |
| Held, with reference to a security bond, and the imposition of a fine on the sureties, that the bond is not forfeited; that the Girassias of Jeytulpoor must, in the first instance, be required to produce the thieves, or pay the value of the stolen property, and on their failure to do either, the sureties must abide by the penalties of the bond .. .. .. .. .. .. .. .. | iv. | 66 |
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| A surety for an escaped prisoner should have been forwarded to the Session Judge .. .. .. .. .. .. .. | iv. | 420-421 |
| Surgeon.—*See* "Medical Officer." | | |
| Surgical operation, | | |
| The refusal of a deceased person to submit to a surgical operation was no plea in justification of the assailant, who should have been convicted of culpable homicide, instead of assault .. .. | iii. | 227 |
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| The Court reduce the fines imposed upon two parties in consideration of the heavy loss they have sustained by their suspension from office and emoluments for eighteen months .. .. | viii. | 51 |
| The mode in which the prisoner (a District Police Officer) was suspended was objectionable .. .. .. .. .. | x. | 68 |
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| man having been acquitted of the charges preferred against on, no delay ought to have taken place in giving him posses- property found in his house, which was suspected, .. .. .. .. .. | v. | 848 |
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| Custom house officers should be protected from temptation, and those who tempt them with bribes punished; but care should be taken that they do not, by exceeding their powers, induce men to offer them money, or, by bringing false charges of bribery, procure for themselves an immunity from suspicion, and the natural result—the means of taking bribes with impunity .. .. .. .. .. .. .. .. | vii. | 317–318 |
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| Temptation, The law does not permit a husband to lay by for an opportunity of showing his resentment, and after having exposed his wife to temptation, to complain of her infidelity .. .. .. .. | i. | 172 |
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| Custom house officers, having invidious duties to perform, should be protected from temptation, and those who tempt them with bribes punished; but care should be taken to see that custom house officers do not, by exceeding their powers, induce men to offer them money; or by bringing false charges of bribery, procure for themselves an immunity from suspicion, and the natural result—the means of taking bribes with impunity .. .. | vii. | 317–318 |
| Tenure, A house in dispute not being a 'tenure' nor 'premises' within the meaning of Act XVI. of 1838, that Act, therefore, was inapplicable to the case, and the only law which justified the Magistrate's interference was Section 16 Regulation XII. of 1827 .. | ii. | 23 |
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| Opposite to the word 'theft,' in the register of petitions of a Session Judge, eight months imprisonment, a sentence heavier than the regulations provide for that offence, is entered, and if the offence were so designated in the warrant, the Session Judge should have called for the proceedings, and have taken measures to have it corrected .. .. .. .. .. .. | i. | 425 |

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| [illegible]bezzling and felonious theft was not a case in which compensation should have been made to the complainant, even if the offence had been proved .. .. .. .. .. .. | vi. | 806 |
| An order, calling upon a man to give security in one thousand Rupees, because some cotton found in his godown was suspected to have been stolen, is annulled .. .. .. .. .. | vi. | 810 |
| Observing that a prisoner, having been before imprisoned, does not make the very disproportionate sentence passed upon him a suitable one for the theft from an 'ota,' or terrace, of a cloth of the value of eight annas, the Court mitigate the sentence to three months solitary confinement, and fifty stripes, to be inflicted in two instalments, as before ordered .. .. .. | vii. | 237–238 |
| A fine of thirty Rupees, or imprisonment with hard labour for one month, for petty theft, being considered too severe a punishment for one who had been punished also with dismissal from his employment of Tannah Shroff, the Court mitigate the fine to five Rupees .. .. .. .. .. .. .. | ix. | 183 |
| A Magistrate, requesting authority for the further detention of a prisoner for four years, is requested to try more lenient measures, for a breach of which the prisoner might be punished, and by which he might be restrained from theft and robbery .. | ix. | 251 |
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| Threat, | | |
| Noticed instance in which a Session Judge, by conversing with, and his method of examining, a prisoner, gave a colour to the accusation brought against him by that prisoner, of having threatened and compelled him, through fear, to retract his prior plea of 'not guilty,' and subsequently to plead 'guilty' .. | ii. | 547–548 |
| Intimidation by threats of self-inflicted violence, | | |
| Neelapa bin Muritamapa .. .. .. .. .. | iv. | 117–120 |
| To constitute 'traga,' the law requires that some measures will be pursued to carry the threat out. The idle threat of a prisoner, that he would break his own head, does not require any serious consideration .. .. .. .. .. .. .. | iv. | 120 |

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| An attempt to render the law nugatory by an exclamation held to be a threat, cannot be construed to have that effect, unless it were conceded that the Magistrate was, or was likely to have been, influenced by such an exclamation .. .. .. .. | viii. | 478–479 |
| Held, in a case of conspiracy, that, considering the time and circumstances under which the petition (which forms the basis of the charge for conspiracy) was presented, that it contains a direct promise if the prayer be granted, and implied threat if it be denied, the conviction for the offence is good .. .. | viii. | 481 |
| Thug, | | |
| The proceedings in the case of every prisoner convicted of dacoity, to whom the Thug Agent shall have granted a certificate of exemption from death, or transportation, on the condition of their giving true evidence, are to be handed up to Government with a view to *His Lordship* in Council ordering the sentence to be indefinitely suspended .. .. .. | | |
| A dacoit guilty of more than one heinous crime, for one of which was sentenced to five years imprisonment with hard labour, is, after a little more than two years of his sentence has expired, applied for by, and is ordered to be transferred as an approver to the thuggee and dacoity department .. .. .. | | |
| The Superintendent of Thuggee is called upon to state whether the information obtained from a prisoner has been of such a nature as to warrant his conditional release and transfer before the expiration of his punishment; or whether the ends of justice would not have been better served by his remaining to undergo in jail the full term of imprisonment to which he had been sentenced .. | vii. | 148–149 |
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| Timber, | | |
| Felling wood in a Government forest, Oomer Khan wulud Mahomed Khan, and another .. .. | iv. | 506–508 |
| A sentence of expulsion is annulled on a party giving security to abstain from injuring Government timber .. .. .. | x. | 710 |
| *See* also "Forest," "Trees," "Wood." | | |
| Time, | | |
| Noticed in reference to the violation of a security bond, that the lapse of time for which the parties have been giving security is a matter of material consideration .. .. .. .. | ii. | 662 |
| Though a fine be heavy, yet, from the lapse of time since its imposition, the Court think it proper not to interfere .. .. .. | iv. | 41 |
| The Court consent to receive a petition, though beyond the time allowed by the Act, from the circumstance that the application was presented a week ago, but not received, owing to its not being drawn up in proper form .. .. .. .. .. | iv. | 694 |
| Noticed the length of time during which a prisoner has been under examination .. .. .. .. .. .. .. | iv. | 958 |
| The Court refuse to interfere, after the lapse of so much time, in an offence, merely because it may have been called by a wrong name. | v. | 148 |
| A security is not released from responsibility the very day that the time for which he is bail expires—a reasonable time must be allowed the Magistrate to ascertain whether, within the last few days for which he was bound, any forfeiture was incurred .. | vi. | 156 |

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| Title, | | |
| Property, in the absence of any one proving a better title to it, belongs, of course, to the person in whose possession it was found .. .. .. .. .. .. .. .. | vii. | 562 |
| *See* also "Possession," "Property." | | |
| Tobacco, | | |
| The making of sniff in a house close to a public thoroughfare is prohibited as a nuisance, under Act XXI. of 1841, in consequence of the inconvenience arising to the public from the effects of the tobacco dust .. .. .. .. .. .. | iii. | 351-352 |
| Wholesale dealers, convicted and sentenced by the magisterial for using false weights in purchasing tobacco, are Sudder the law under which they were tried lation XIV. of 1827, applying to persons deal- purchasers, but to sellers .. .. .. | iii. | 471 |
| bacco, pium, &c. into jails must be prohi- ther and more legitimate method of procedure ition, the issue of which the regulations do not or the prevention of such an evil .. .. .. | x. | 770 |
| the carriage of tabo in procession is restricted to ertain portions of that town .. .. .. .. .. | iv. | 762-765 |
| am bin Ramjee.—Serious assault .. .. .. .. .. | v. | 677-678 |
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| okajee wulud Jukhojee, and another.—Forgery; and making fraudulent use of a forged document .. .. .. .. .. | vii. | 596-599 |
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| Tondurmul Ramkurum, and two others.—Robbery, without force, by night; and receiving stolen property, knowing it to be stolen .. | x. | 751-755 |
| Torture, | | |
| Abuse of a party while officiating as District Police Officer, in ordering two Policemen to torture a woman to extort confession .. .. .. .. .. .. .. .. | iv. | 665-681 |
| Misconduct and abuse of authority in a Police officer, and two others of the Police, in torturing a prisoner to extort confession .. .. .. .. .. .. .. .. | v. | 720-726 |
| Noticed a Police Patel's admission that he would not have ventured to interfere with a Police peon employing torture to extort confession .. .. .. .. .. .. .. .. | v. | 726 |
| Abuse of authority as a Police officer, in torturing a prisoner to extort confession .. .. .. .. .. .. .. | vi. | 107-116 |
| Misconduct as Police officers, in employing torture to extort confession .. .. .. .. .. .. .. | vi. | 886-888 |
| A torture case should not be tried at all by a Deputy Magistrate .. .. .. .. .. .. .. .. | vi. | 888 |
| Certain men of the Police charged with, and convicted of, conspiracy and torture .. .. .. .. .. .. .. .. | x. | 531-552 |
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| Towanee kom Nagana, and another.—Murder; and concealment of murder after the fact .. .. .. .. .. .. | v. | 365-369 |

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| **Town,** | | |
| A Foujdar, having heard of a Police peon's exactions at the several gates of a town, should have taken measures to have discovered him in the fact, and to have had him punished before .. .. .. | v. | 542 |
| *See* also "Injunction," "Notice," "Order," "Proclamation." | | |
| **Trade.**—*See* "Calling," "Profession." | | |
| **Trader,** | | |
| The proclamation of a Magistrate, prohibiting the people of Chiploon from going, between sunset and sunrise, to the place where traders' bullocks are picketed, is disapproved, and the Magistrate instructed that he should make Police arrangements for the protection of traders halting at Chiploon .. .. .. .. | | |
| **Traga,** | | |
| To constitute 'traga,' the law requires that some .. .. be pursued to carry out the threat. The idle threat .. .. that he would break his own head, does not deserve any consideration .. .. .. .. .. .. | | |
| **Transfer,** | | |
| A prisoner having been committed for trial to the Sessions Court, it was not competent for the Session Judge to transfer him to other authority, or to dispose of him, except in due course of law .. .. .. .. .. .. .. | xi. | |
| **Translation,** | | |
| A Magistrate, who found himself unable to comply with the Court's requisition for a translation of his Deputy's proceedings, should have submitted a summary of the evidence in English .. | iii. | 171 |
| Noticed the incorrectness of a translation of certain rules from English into Murathee, and of the introduction into the Murathee a translation of the English words *notice* and *rule* .. .. | vi. | 388 |
| The depositions of two persons, which were read on a trial for murder, should have been translated, and their substance entered in the proceedings, under printed circular No. 14, of the 20th March 1828, and No. 31, of the 14th March 1830 .. .. | ix. | 500 |
| A Session Judge ought to have mentioned in his proceedings the evidence he read over to a prisoner, and have sent translations of those papers with the case, or have entered the substance of them in his record .. .. .. .. .. .. .. | x. | 106 |
| A Session Judge is requested to specify in his proceedings the evidence he reads, and give the purport, or a translation of it .. .. .. .. .. .. .. .. .. | x. | 172 |
| **Transportation,** | | |
| The recommendation of a Session Judge to mitigate a sentence of death to one of transportation for life cannot be complied with, as the prisoner's being an opium-eater is no extenuation of his offence, nor any palliation for the murder of his wife, for a savage assault upon whom he was once before sentenced to one year's imprisonment .. .. .. .. .. .. | iii. | 273 |
| The Court consider the sentence of a Session Judge, in a case of 'robbery, with force, by night,' is most inadequate, and that the chief criminal should have been sentenced to transportation .. | iii. | 721 |
| The proceedings in a case of murder, for the perpetration of which a prisoner was sentenced to transportation for life, are, with reference to Section 6 Act IV. of 1849, to be laid before Government, with a view to the convict's safe custody in a lunatic asylum .. | iii. | 885 |
| A deaf and dumb woman, convicted of murder, appearing to possess but little intellect, is sentenced to transportation for life .. | iv. | 842 |
| Noticed old and hardened offenders having been sentenced to long periods of imprisonment, when they could, and should, have been transported .. .. .. .. .. .. .. .. | vi. | 32 |

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| The sentence of death passed on a boy (aged sixteen) for the murder of his sister (aged ten) is confirmed by the Sudder, but is, on being submitted to Government, commuted to imprisonment for life .. .. .. .. .. .. | vi. | 132 |
| The case of every prisoner to whom the Thug Agent shall have granted a certificate of exemption from death, or transportation, shall be handed up to Government .. .. .. .. | vii. | 96 |
| A Chinese convict, under sentence of transportation from Singapore for fourteen years, having attempted to commit murder on a fellow-prisoner, is super-sentenced to transportation for life, and directed by Government not to be sent to Aden .. .. .. | vii. | 711–713 |
| [illegible] robbery, with force, by day,' should have been tried [illegible] Judge, and the prisoners sentenced to transport- .. .. .. .. .. | x. | 259 |
| [illegible] without a pardon, .. .. .. .. .. | x. | 664–665 |
| [illegible] travellers from occupying, or picketting their [illegible] hool compound .. .. .. .. | vii. | 725 |
| [illegible] by the Magistrate of Broach, requiring from travellers, [illegible] the prevalence of the mutinies, information somewhat analogous to that which the passport systems of Europe demand .. .. .. .. .. .. | viii. | 356–357 |
| See also "Injunction," "Notice," "Order," "Proclamation." | | |
| Treason, | | |
| Ahmed Meeya Nusseeroolla .. .. .. .. .. | viii. | 469–488 |
| Sukaram bin Toolsajee Panbund .. .. .. .. | ix. | 575–585 |
| Ditto ditto .. .. .. .. | x. | 765–769 |
| A Session Judge, especially when trying a prisoner for treason, could receive no communication from Government connected with the trial that he would not place on record .. .. .. | xiii. | 477–478 |
| Letters on the subject of a trial for treason, though issued from the secret department of the Secretariat, should have been recorded on the trial. The contrary could never be intended, and could never be allowed .. .. .. .. .. .. .. | viii. | 477–478 |
| The whole of the proceedings and trial in a case of treason are, having been illegally conducted, annulled; and the Acting Session Judge is directed to return the prisoner to the Magistrate, in order that he may proceed against him according to the provisions of Act V. of 1841 .. .. .. .. .. | ix. | 585 |
| Treasure, | | |
| A Mookee (Patel), and three others, are charged with embezzlement; and receiving property, knowing or having evident ground to believe it to be fraudulently withheld from its lawful owner, in that they fraudulently withheld and appropriated discovered treasure which, by reason of their official position, came into their possession .. .. .. .. .. .. | x. | 453–457 |
| Treasury, | | |
| Robbery from a Moonsiff's box in the Mamlutdar's treasury, Doolba wulud Mookoondr .. .. .. .. .. | iii. | 283–286 |
| The interpretation on Section 17 Regulation XIV. of 1827, quoted by a Session Judge for punishing a prisoner for forgery, does not apply to the offence or position of one who was not on the establishment of the Collector, or one who had falsified treasury accounts .. .. .. .. .. .. .. .. | v. | 356 |
| Tree, | | |
| Felling wood in a Government forest, Oomer Khan wulud Mahomed Khan, and another .. .. | iv. | 506–509 |

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| Notice by the Magistrate of Colaba, prohibiting trees, or large branches of trees, being cut down in the forests of Colaba without permission | vi. | 914-915 |
| *See* also "Timber." | | |
| Noticed in a trial for murder, that neglect of circular order No. 427 weakened the evidence, and led to the acquittal of the accused | i. | 8 |
| The law of procedure should be strictly observed, and especially on the trial of a prisoner against whom a general feeling of ill-will exists | i. | 42 |
| Whereas at Belgaum a bad feeling existed against a prisoner, it would have been better had the charge against him been left [illegible] the disposal of the Sessions Court at Dharwar | | |
| Noticed the illegality of a Session Judge in [illegible] ment, before the termination of the trial, cert[illegible] who were on bail, on a bond stipulating for [illegible] em[illegible] until the close of the proceedings | | |
| The care and ability of Mr. R. White, as Acting Session Jud[illegible] the conduct of a trial are highly commended | | |
| The manner of conducting a trial by Mr. A. W. Jones, Session Judge of Dharwar, is commended | i. | |
| The Magistrate of Belgaum is informed that a case forwarded by him for trial was not sent up in so complete a form as it should have been | i. | |
| Noticed instance in which a prisoner, tried for culpable homicide only, should have been tried for murder | i. | 103 |
| Observed in a trial for culpable homicide, that the Session Judge should have made particular inquiry into the character of the prisoner, considering that the evidence for the prosecution was mainly confined to the relatives of the deceased | i. | 103 |
| Noticed the impropriety of a Deputy Magistrate recording, as a committing officer, that 'the prisoner is convicted and found guilty,' and thereafter recording, of the same prisoner, that 'he is committed to stand his trial at the Court of Sessions' | i. | 207 |
| Noticed in a trial much valuable time consumed in merely technical references | i. | 213 |
| Noticed and pointed out in detail the grave omissions in procedure of a Session Judge on an important trial for conspiracy | i. | 242-243 |
| In a trial for assault the record of the Session Judge does not show the several indications of the guilt of the prisoner, which appear in the proceedings of the Assistant Magistrate | i. | 247 |
| An officer of the Guzerat Horse should not have taken up a case in which the men of that force were interested as complainants and witnesses, but have left it for inquiry by some other magisterial officer | i. | 270-271 |
| A prisoner, instead of being tried for 'attempt to commit gang robbery, with force,' should have been tried 'for serious assault' | i. | 340 |
| Noticed instance in which the omission of the Police to secure the necessary evidence, has prevented the trial of a prisoner for theft and robbery | i. | 345 |
| Observed in a trial for rape, that the evidence of two women mentioned by a witness is not given, and that the Session Judge in his finding makes no allusion to their testimony | i. | 374 |
| Observed that, in trials for rape, a Session Judge, from, perhaps, a feeling of delicacy, never appears to go sufficiently into details | i. | 374 |
| Session Judges are requested to postpone all feelings of delicacy to a sense of justice and of their duty, and on no account to refrain from minute inquiry into cases of rape | i. | 374 |

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| Held unobjectionable in an Assistant Magistrate to decide a case in which, though a number of persons constitute a gang, yet the gang consists of boys, or others who go to rob an orchard or a field, or to commit trifling depredations of that nature .. | i. | 387 |
| Noticed that the postponement of a trial for murder for twenty-two days, in order that the Session Judge might, as he records, review the evidence and consider the finding, was exceedingly objectionable .. .. .. .. .. .. | i. | 443 |
| Noticed in a trial for murder, the remissness of the Foujdar in not examining the body of the deceased .. .. .. .. | i. | 469-475 |
| Noticed in a trial for murder, that further inquiries should have [illegible] that those made had not elicited evidence sufficient [illegible] .. .. .. .. .. | i. | 472-475 |
| [illegible] stealing,' that the evidence [illegible] even had such a trial been legal, is [illegible] for conviction .. .. .. .. | i. | 481 |
| [illegible], the evidence of the mother should have been [illegible] that her daughter told her on returning home .. | i. | 487 |
| [illegible] pointed out in detail the various points on which the [illegible]ce in a trial for murder is defective .. .. .. | i. | 530 |
| Noticed the many adjournments in a trial for murder which should have been completed in two days .. .. .. .. .. | i. | 555 |
| Noticed and disapproved the long detention of prisoners in confinement previous to their trial .. .. .. .. .. | i. | 559 |
| Every person whose evidence is taken in a criminal case must be sworn. The youth of witnesses is no reason for their not being sworn, and the statements of such as are too young cannot be taken .. .. .. .. .. .. .. | i. | 574 |
| Remarked the great impropriety of postponing judgment so long after trial in cases involving capital punishment .. .. | i. | 616 |
| A charge of rape should not have been tried and disposed of by the Deputy Magistrate, but the case should have been committed for trial to the Sessions Court .. .. .. .. | i. | 620 |
| Noticed in a trial for procuring abortion, that several articles of a very offensive nature were laid before the Judge which should not have been produced upon the trial .. .. .. .. | i. | 648 |
| Noticed in a trial for murder, that the jury afforded no assistance, but, on the contrary, impeded, rather than aided, the Judge in conducting inquiry .. .. .. .. .. .. .. | i. | 673 |
| Noticed in a trial for murder, certain evidence which ought to have been recorded, or the absence of which ought to have been accounted for, to make the trial perfect .. .. .. | i. | 674 |
| The prosecution is injured by any statement made by a prisoner, not advantageous to himself, being omitted on a trial .. .. | i. | 674 |
| On the adjournment of a Court during trial, the prisoners and articles in evidence before the Court should be remanded to the Nazir, and an entry to that effect be recorded in the proceedings .. .. .. .. .. .. .. .. | ii. | 8 |
| At the conclusion of a trial, instead of directing the Nazir to take charge of the prisoners, a formal warrant to do so should be issued, as required by Clause 3 Section 21 Regulation XIII. of 1827 .. .. .. .. .. .. .. | ii. | 8 |
| The various articles connected with a trial should not be returned to the Magistrate until the case is finally decided by the Sessions Court .. .. .. .. .. .. .. | ii. | 8 |
| Noticed certain irregularities of procedure, and the unnecessary quantity of evidence, recorded in a trial for murder .. .. | ii. | 12 |
| Noticed a second instance in the same Judge of long and unnecessary adjournment of a trial, for the purpose of considering the finding .. .. .. .. .. .. .. .. | ii. | 13 |

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| A Deputy Magistrate's order, fining a party for 'contempt of court' in the course of a criminal trial, is not a criminal case disposed of, nor one to be entered in the criminal returns .. | ii. | 20 |
| In cases in which a prisoner pleads guilty, the labour of a trial is lessened by attention to Clause 2 Section 37 Regulation XIII. of 1827 .. .. .. .. .. .. | ii. | 31 |
| Noticed case in which a trial for 'breach of trust' should have been held under Section 40 Regulation XIV. of 1827, and not under Section 8 Act XIII. of 1850 .. .. .. .. | ii. | 31 |
| The trial by the Deputy Magistrate of a subordinate having been disapproved of by the Magistrate, he should have annulled the conviction, and himself have committed the case to the Sessions Court .. .. .. .. | | |
| The conviction of a prisoner is annulled, he having been tried and sentenced for the very same offence .. .. .. | | |
| Noticed points of much importance in a trial for murder which the Session Judge has overlooked .. .. .. .. | | |
| A prisoner was very properly discharged untried from the bar, being a subject of His Highness the Guicowar, was charged with an offence committed in His Highness's dominions .. .. | | |
| Observed that a trial, on a charge of 'gang robbery, with force, by night,' was very unsatisfactorily conducted, and is ill-recorded .. | ii. | |
| Trials held by the Session Judge of Dharwar, though conducted, seemingly with great care, are replete with too much hearsay evidence, and objectionable otherwise for their long adjournments .. .. .. .. .. .. .. | ii. | 133 |
| Observed that a trial, in which seventeen witnesses were examined, lasted six days, and was then adjourned for four more, in order that the Session Judge might consider his finding .. .. | ii. | 133 |
| On a trial for 'robbery, with force, by night and receiving stolen property,' the prisoner should have been convicted of 'robbery, with force' .. .. .. .. .. .. .. .. | ii. | 136 |
| The Sudder Court are at a loss to understand, from the examinations recorded, how the evidence of certain parties, in a trial for perjury, was elicited without leading questions being put to the witnesses .. .. .. .. .. .. | ii. | 142 |
| In the record of a trial, prisoners should be designated by their names, and not as Nos. 1, 2, 3, &c. .. .. .. .. | ii. | 167 |
| The finding on a trial should be drawn from the substance of all the depositions taken together, and not from a recapitulation of what each witness says separately .. .. .. .. | ii. | 167 |
| Noticed in a trial for assault, that the name, age, sect, religion, profession, and caste of the witnesses, should have been recorded. | ii. | 167 |
| Property in evidence before a court should not be returned until the trial is finally disposed of .. .. .. .. .. | ii. | 175 |
| Marginal notes, or private memoranda, should not appear on the face of the papers or proceedings of a trial .. .. .. | ii. | 184 |
| Noticed in a trial for murder, that it should have been made more clear who the person was that was sent by the Koolkurnee to call one of the prisoners from the field in which the murder was discovered .. .. .. .. .. .. .. | ii. | 198 |
| Written defences may be recorded on a trial .. .. .. | ii. | 223 |
| Satisfaction is expressed at the manner in which a trial for conspiracy was conducted by the Assistant Session Judge—Mr. H. P. St. G. Tucker .. .. .. .. .. .. .. | ii. | 238 |
| A prisoner in a case of murder should not have been discharged without trial. The more correct procedure would have been to have recorded the prisoner's plea, proceeded with the prosecution, and, in the event of the evidence appearing insufficient for conviction, the prisoner, at its close, should have been acquitted. | ii. | 240 |

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| A prisoner, having been committed, ought not to have been discharged without trial, but should have been called upon to plead to the charge, should have had his plea recorded, and the trial should have been proceeded with; and on its being ascertained that he was a subject of His Highness the Guicowar state, and that the offence charged against him was committed in the territories of His Highness the Guicowar, the prisoner should have been returned to the Magistrate, for transmission to the authorities of the state to which he belonged .. .. .. | ii. | 259 |
| The practice of the courts requires the presence of two jurymen at a trial .. .. .. .. .. .. .. | ii. | 267 |
| [illegible] are brought before a court, they ought not to be [illegible] body, but separately, and that they are so, should .. .. .. .. .. | ii. | 267 |
| [illegible] to assist in the review of a trial .. | ii. | 268 |
| [illegible] much hearsay into, and several instances of the conduct of, a trial for 'attempt to commit .. .. .. .. .. .. .. | ii. | 278 |
| [illegible] is requested, as well on the score of justice as of [illegible], not to delay his judgment in any case, unless where a satisfactory reason can be assigned for so doing .. .. | ii. | 379 |
| No adjournment should take place in a trial after its commencement, except in cases in which the evidence cannot be brought forward in one day; and though delay is permitted by procedure to obtain further evidence, it was never intended, and no authority exists for the practice, that a trial should be dragged on from day to day, and finally adjourned *sine die* without the slightest reason to justify any interruption at all .. .. .. .. | ii. | 379 |
| An Assistant Session Judge, not vested with special powers, should not have tried a case of 'gang robbery, with force, by night' .. | ii. | 391 |
| A Session Judge, in his finding on the trial of a prisoner for escape, says, that every precaution had been used to prevent escape, but this hardly seems reconcilable with the fact that the prisoner had a chain on only one leg .. .. .. .. .. | ii. | 407 |
| Noticed in a trial for 'wilfully setting fire to reaped crops,' that an evidently important witness was not examined either by the Session Judge or Magistrate .. .. .. .. .. | ii. | 411 |
| The discharge of a prisoner by the Sessions Court, because, on a consideration of the facts, the Session Judge opined it would be useless waste of time to proceed with the trial, was irregular. A prisoner once committed cannot be discharged without an acquittal, or conviction, being recorded; and though the case was not one, perhaps, which required commitment to the Sessions Court, yet, having been sent there, it ought to have been formally disposed of, and the Session Judge is requested to have this done now.. .. .. .. .. .. .. | ii. | 424 |
| Noticed in a case of perjury, that the release of a prisoner, without trial, by the Sessions Court, was illegal; and as a mere discharge does not operate as an acquittal, the Session Judge is directed to have the prisoner re-arraigned, and the trial proceeded with.. .. .. .. .. .. .. .. | ii. | 457–458 |
| A trial for murder would have been more complete had the Session Judge obtained from a witness information as to what became of the ornaments she gave her husband when the house was attacked. | ii. | 516–517 |
| A prisoner tried for 'serious assault,' should, such was the murderous assault he made upon a woman, have been tried for 'attempt to commit murder,' and dealt with accordingly .. .. .. | ii. | 520 |
| A prisoner charged with 'breach of trust,' should have been charged and tried for that offence under the regulations, and not under Section 8 Act XIII. of 1850, which applies to 'thefts' .. .. | ii. | 545 |

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| The discussion which took place on a trial, in regard to the plea of a prisoner, was unnecessary, if not unseemly .. .. .. | ii. | 545 |
| The conviction in a case of 'breach of trust' is annulled, and the Session Judge directed to replace the prisoners at the bar, and to try the case in the manner provided by the regulations .. | ii. | 549 |
| A Session Judge ought not, under any circumstances, to have discharged a prisoner from the accusation against him without trial .. | ii. | 567 |
| Noticed improvement in the trial of cases by a Session Judge, but still defects in the omission of evidence which should have been taken .. .. .. .. .. .. | ii. | 609-610 |
| Held in a trial for conspiracy, that neither law nor justice required the trial to be deferred until question of personal identity or lawful right was established by the protracted proceedings of a civil suit and its attendant appeals .. .. .. | | |
| The conviction of a party charged with attempting to pass ornaments of base metal as silver ones is annulled, the case not coming within the scope of the regulation under which he was .. | | |
| An accused Zameendar must, by Clause 1 Section 15 Regulation XV. of 1827, be tried by the Magistrate .. .. .. | | |
| The conviction and sentence of a Zameendar (tried by a Deputy Magistrate, whose finding the Magistrate approved), are annulled, Clause 1 Section 15 Regulation XV. of 1827 directing that a Zameendar shall be tried by the Magistrate himself .. .. | ii. | |
| The Court approve of the manner in which an Assistant Session Judge conducted a trial for robbery .. .. .. .. | iii. | |
| A Deputy Magistrate should not, as a committing officer, have recorded that he found the prisoner guilty of murder, but should have recorded that he had sufficient evidence before him to justify the committal of the prisoner for trial for murder .. | iii. | 122 |
| A Joint Magistrate must not find parties guilty of a crime, and then commit them for trial. The verdict of the trying authority determines the guilt, not the magisterial inquiry .. .. .. | iii. | 129 |
| Condemned severely the manner in which a trial for 'robbery, and receipt of stolen goods,' involving a long imprisonment to the convicted, has been conducted by a Session Judge .. .. | iii. | 213 |
| The English record of a trial should correctly represent all that passes at the trial .. .. .. .. .. .. .. | iii. | 213 |
| A trial is declared to be so faultily conducted, as to render it unsafe to rely upon the record, and necessary to annul the conviction and sentence of the prisoners, who are ordered to be discharged .. .. .. .. .. .. .. .. | iii. | 213 |
| Noticed in a trial for breach of trust, the unaccountable delay which took place before judgment was recorded .. .. .. | iii. | 225 |
| Noticed instance in which the substance of a statement, made by a prisoner in his defence, was not recorded .. .. .. | iii. | 225 |
| Observed in a trial for breach of trust, that the regulation under which a prisoner was punished is not quoted .. .. .. | iii. | 225 |
| Attention is called to circular order No. 385, of the 22nd November 1848, forbidding the entry of the papers and proceedings received from the magisterial authorities as part of the record of a trial .. .. .. .. .. .. .. .. | iii. | 267 |
| Noticed instance in which certain prisoners, tried for 'receiving stolen goods,' should have been tried for 'robbery' .. .. | iii. | 283 |
| Observed that in two separate trials in the Belgaum division, two similar pleas have been advanced in excuse for murder .. .. | iii. | 287-290 |
| Ditto ditto ditto ditto .. | iv. | 13- 15 |
| Observed that two prisoners, tried together on a charge of 'receiving stolen property,' ought to have been tried separately in two separate trials, as these cases have nothing to do with each other, nor can the conviction in either case be upheld .. .. | iii. | 293 |

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| Observed, with reference to a trial for murder, that the Court have seldom reviewed so weak a case .. .. .. .. .. | iii. | 306 |
| When more prisoners than one are on their trial, the number of each should appear after his name, whenever that is mentioned in the record, and in the letter also handing up the case, if it be one requiring the confirmation of the Sudder Court .. .. .. .. .. .. .. .. | iii. | 324 |
| The evidence of the Police Patel is always valuable in criminal trials .. .. .. .. .. .. .. .. | iii. | 331 |
| The attention of a Session Judge is directed to Act VII. of 1854, and he informed that the gang robbery having been committed [illegible] Magistrate's jurisdiction, the authority of Government [illegible] to bail the prisoners to trial; but, as he [illegible] have satisfied himself on the point .. .. .. .. .. | iii. | 334 |
| [illegible] submitted to the Sudder Court, should [illegible] entered by petitioners when on trial before the [illegible]orities .. .. .. .. .. | iii. | 385 |
| [illegible] each prisoner should be given whenever his name [illegible]ed in a trial .. .. .. .. .. .. | iii. | 406 |
| Noticed a instance in which a Deputy Magistrate should have convicted prisoners tried for 'robbery,' &c., of 'robbery, with force' .. .. .. .. .. .. .. | iii. | 428 |
| The object of conspiracy in three trials for that crime, should not have been set forth as against prisoners, but as intended to pervert the course of public justice, the public wrong involved being of more weight than the injury to individuals .. .. | iii. | 603 |
| Cases in which 'distress' was ordered, should not have been enforced before the Sudder Court reviewed the trial, as the cases of all the prisoners were subject to review, though the sentences of all did not require the confirmation of the Court .. .. | iii. | 594 |
| Noticed in a trial for 'gang robbery,' the irrelevancy of much that is on record, which, being matter of opinion and hearsay, and not evidence, should have been altogether excluded .. .. | iii. | 602 |
| Noticed, and pointed out in detail, the defects in the conduct of a trial for murder, in which also the medical testimony is recorded replete with confusion, and essential omissions in the evidence are apparent .. .. .. .. .. .. .. | iii. | 659 |
| Noticed in a trial for murder, the improper rejection of the evidence of two witnesses for the defence, because they were prostitutes, and because one of them possibly prostituted herself to the prisoners every day, an assumption which there is no trace of evidence to justify .. .. .. .. .. | iii. | 659 |
| A trial for murder would have been more complete had the peon, who found the bamboo-stick, been forwarded to the Court .. | iii. | 662 |
| A Magistrate, considering the sentence passed by the Deputy Magistrate too lenient, should have annulled the conviction, and committed the prisoner for trial before the Sessions Court .. | iii. | 669 |
| Noticed in a trial for 'gang robbery,' that the evidence of a woman, the wife of one of the prisoners, should not have been taken, and that it would have been advisable to record the written defence of the prisoners .. .. .. .. .. .. | iii. | 779 |
| The substance of the prisoner's statements should have been entered on the record of the trial.. .. .. .. .. | iii. | 784 |
| Whenever the condition of a wounded man, who appeared likely to survive when first examined, becomes so much worse as to make a final termination probable, a new deposition should be taken from him, and evidence be forthcoming, at the final trial, to show that such deposition was given when death appeared imminent .. .. .. .. .. .. .. .. | iii. | 800 |

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| As a prisoner gave no answer when arraigned before the Court, a plea of 'not guilty' should have been recorded .. .. .. | iii. | 804–807 |
| A witness, giving false evidence on a trial for murder, is remanded to the Magistrate, that a charge of perjury may be preferred against him.. .. .. .. .. .. .. .. | iii. | 823–824 |
| The omission in a First Assistant Magistrate's record of a trial of any mention of his having fined a witness for prevarication, is very improper .. .. .. .. .. .. | iii. | 880 |
| The Court have held that Act XXX. of 1841 does not apply to prevarications .. .. .. .. .. .. | iii. | 880 |
| As on a trial for conspiracy, a charge of extortion should have formed the subject of a distinct charge, so an extract from the proceedings of the trial is sent to the Deputy Magistrate is directed to hand up the prisoners for charge .. .. .. .. .. | | |
| The attention of the Magistrate is drawn to the plea of a p on a trial for murder, as being similar to the plea advan another party, on a separate trial for the same crime .. | | |
| A Magistrate is himself to commit for trial all such cases as a indicated in circular No. 471, of the 25th April 1863 .. .. | | |
| The practice of careless record, which the Magistrate asserts is apt, in certain cases, to prevail, explains how the Session Judge had reasons for finding fault with this tria .. .. .. .. | iv. | 56– |
| A Session Judge is requested, in future trials for murder, to take the evidence of the members of the inquest, to the effect that the report recorded was the one they had subscribed .. .. | iv. | 99 |
| The English record of a Session Judge omits to show that the prosecution was formally closed, and the prisoner put on his defence .. .. .. .. .. .. .. .. | iv. | 139 |
| Had a Session Judge, instead of refusing to allow a trial to go on, proceeded with it, he would have found the gist of the conspiracy was to frustrate the ends of justice .. .. .. .. | iv. | 173 |
| As a case of perjury was not taken up until a month after commitment, all the witnesses should have been ready to enable the Sessions Court to dispose of it in one day, whereas three days were occupied in trying it.. .. .. .. .. .. | iv. | 176 |
| A case, received on the 7th May, should have been ready for trial on the 9th July, when it was taken up; instead of which it occupied three weeks, involving several adjournments .. .. .. | iv. | 338–339 |
| A very grave omission is observable in the English proceedings of a Session Judge, which ought to be a faithful exhibition of all that is elicited at a trial .. .. .. .. .. | iv. | 339 |
| In summing up a trial, it is recorded that a rag, in which the stolen articles were tied up, corresponded with the piece taken out of the prisoner's house, when there was no evidence whatsoever of that fact on record.. .. .. .. .. .. | iv. | 443 |
| The excuse of a Session Judge, that he had not read the law of evidence before he tried the case, is wholly inadmissible .. | iv. | 443 |
| Noticed instance in which there was a sufficiently *primâ facie* case against a witness to have warranted the Deputy Magistrate, by preparing the case with greater care, in committing him for trial. | iv. | 451 |
| Noticed in a trial for murder, that the case is one in which the evidence has been damaged as much as possible by the Police, and owes as little to them as it is well possible to conceive .. | iv. | 480–489 |
| It was not competent to an Assistant Session Judge to alter the charge on which a prisoner was committed by the Magistrate, the conviction and sentence are therefore annulled, and the prisoner directed to be tried upon the charges on which he was committed; or, if the charges are inapplicable, the Magistrate should be requested to frame others .. .. .. | iv. | 527–528 |

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| No prisoner can implicate another on trial with him; and no prisoner's statement should be allowed to effect the position, before a Court, of his companion at the bar .. .. .. | iv. | 595 |
| The reasons for adjourning a case should be recorded at the close of each day's proceedings .. .. .. .. .. .. | iv. | 711 |
| Noticed the delay apparent in taking up a case which, reaching the Session Judge on the 17th February, was transferred to the Assistant Session Judge on the 20th March, and the trial not proceeded with until the 23rd April .. .. .. .. | iv. | 712 |
| The Court cannot understand why a Session Judge reserved judgment for a fortnight after a protracted trial of three days .. | iv. | 853 |
| [illegible] since the able analysis of the evidence, and the usual [illegible] has been conducted by Mr. [illegible] Judge of Ahmedabad .. .. | iv. | 953–954 |
| [illegible] called to the fact of a trial for [illegible] charged with murder,' being delayed two days [illegible] absence of two persons, who should have been for- [illegible] the case as witnesses to the deposition of the [illegible] on whose murder also the prisoners were arraigned .. | iv. | 984–986 |
| A [illegible] Judge's views of the priority which should be given to civil appeals, when a criminal case was on his file ready for trial and the witnesses in attendance, was erroneous .. .. .. | v. | 64 |
| A criminal case should be taken up immediately on its arrival at the Sessions Court, and, as a general rule, should there take precedence of all civil business .. .. .. .. | v. | 64 |
| An Assistant Session Judge is, under paragraph 4 of circular order No. 151, competent to amend a charge on which prisoners are first handed up to trial, by inserting the names of the parties robbed .. .. .. .. .. .. .. .. | v. | 91 |
| Any remarks forwarded to a Magistrate on matters connected with a case on trial before the Session or Assistant Session Judge, should be in the form of an extract from the proceedings, and not in that of a letter .. .. .. .. .. .. | v. | 91 |
| To examine a prisoner before the Court for the prosecution is erroneous .. .. .. .. .. .. .. .. | v. | 106 |
| The trial of cases by the Acting Session Judge (Mr. H. Newton) is highly commended .. .. .. .. .. .. .. | v. | 132 |
| A prisoner, convicted of a charge incorrectly framed, and of which he was not, as the charge was worded, guilty, is remanded, and the Session Judge directed to try the prisoner on a correct charge. | v. | 181 |
| Oaths should only be administered to complainants when receiving their complaints previous to apprehending the party charged; or, on trials, preparatory to committal, the accused being present .. .. .. .. .. .. .. | v. | 222 |
| Noticed the unsatisfactory evidence adduced on a trial for 'riot,' the witnesses being all of one party, and their depositions full of discrepancies .. .. .. .. .. .. .. | v. | 242 |
| The conduct of a trial by Mr. Pinhey is noticed as evincing great promise of his making a very good Judge .. .. .. | v. | 293 |
| The regulations do not contemplate a prisoner on his trial being asked by the trying authority any questions but whether he is guilty or not guilty; whether he has any questions to put to the witness; and whether he has anything to urge in his defence .. | v. | 303–304 |
| Prisoners on trial before a court should always be treated with the greatest patience and forbearance .. .. .. .. .. | v. | 303–304 |
| A Session Judge is called upon to explain his procedure in criminal cases, in which delays, adjournments, and much useless procedure are observable .. .. .. .. .. .. | v. | 316 |
| The proceedings of a former trial need not have been recorded in that before the Court, as they are not evidence in it .. .. | v. | 326 |

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| Recommended that the form of procedure laid down for witnesses in civil suits, shall be that pursued in criminal trials .. .. .. | v. | 364 |
| Noticed the long delays and adjournments in a trial in which, though the Session Judge took twelve days to prepare his judgment, an oversight, in an important part of it, is found .. | v. | 434 |
| Noticed that a Session Judge impedes himself by setting down cases for trial on particular days .. .. .. .. | v. | 437 |
| A Session Judge and Deputy Magistrate are called upon to explain, the one how he came to prepare, and the other how he came to try and to convict, upon a charge of perjury, which has no foundation whatsoever upon the deposition of a prisoner, in that that deposition does not show him to have [illegible] the statement with which he is charged .. .. .. | | |
| The Bombay Code, and not English law-bo[illegible] been a Judge's guide throughout in the con[illegible] | | |
| A prisoner's confession in the court in which he is tried is [illegible] ficient for his conviction, if he confirm the same after hearing [illegible] so much evidence, as, if admitted to be true, would prove [illegible] charge against him.. .. .. .. .. | | |
| It is clearly illegal to convict a prisoner on his plea of 'guilty,' which he retracts after hearing certain evidence read over; the Session Judge ought then to enter a plea of 'not guilty,' and commence the trial *de novo* .. .. .. .. .. | v. | 4[illegible] |
| A prisoner, found guilty of perjury, committed before the Session Judge trying a case in which he had no jurisdiction, is acquitted.. | v. | 524–525 |
| When a subject of the British Government is apprehended or delivered up to the custody of a Magistrate, charged with having committed an offence in foreign territory, the Magistrate shall report the case to Government, who may either order the prisoner to be tried by our courts, or delivered up for trial by officers acting under the authority of the British Government in foreign territories; to observe the provisions of this Act is incumbent on the Magistrate alone, the Session Judge is not obliged to take any notice of it .. .. .. .. .. .. | v. | 626–627 |
| If a Magistrate commit a British subject charged with an offence committed in foreign territory, the Session Judge must try the case, and if the charge be proved, must punish for it, for the offence is penal under Section 2 Act I. of 1849 .. .. .. | v. | 626–627 |
| Suggested a course for Government to pursue on sanctioning prisoners being put on trial .. .. .. .. .. | v. | 627 |
| It should have been ascertained whether the receipt books referred to on a trial were with the prisoner, as his having them would have increased the weight of the evidence against him .. .. .. .. .. .. .. .. .. | v. | 643 |
| An Assistant Magistrate should not have asked prisoners on trial before him any questions but whether they were guilty or not guilty, and whether their statements were true or not .. .. | v. | 656 |
| A Session Judge ought not to admit into charges averments which are not required by law, and which he does not think it necessary to see proved on the trial .. .. .. .. .. | v. | 776 |
| A charge of perjury should never be tried, unless the very words the accused is said to have uttered are set forth therein .. | v. | 786 |
| A prisoner, the sentence upon whom for 'child stealing' the Sudder Court annulled, is remanded to be tried upon the second count, that of 'receiving a child, knowing it to be stolen, and so offending against the law of her faith'.. .. .. .. | v. | 807–808 |
| Notice in a trial, the following irregularities—namely, that the witnesses for the defence were first examined; then a written statement recorded, which should not have been recorded at all; and afterwards more witnesses were called for the defence .. | vi. | 114 |

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| A prisoner should, at the end of the proceedings before a Magistrate, be informed that he is committed to take his trial before the Session Judge for 'whatever the offence may be,' and he should then be asked if he have any witnesses to call in his defence, and his answer should be recorded .. .. .. | vi. | 167 |
| A village goldsmith cannot be tried for fraud, as a village officer, under Chapter 2 Regulation XX. of 1827, nor under the provisions of Section 3 Regulation V. of 1813 .. .. .. | vi. | 183 |
| Noticed in a trial for murder, the absence of certain evidence which should have been received .. .. .. .. | vi. | 191 |
| In cases in which a Zillah Judge had no original jurisdiction, he could not, under the section, put parties on their trial until they had been committed by the Magistrate .. .. .. | vi. | 193 |
| Prisoners should not be put on their trial for perjury on two depositions, one proved in the affirmative, the other, in the negative. The Judge should satisfy himself which statement is false, and try the prisoner for perjury made that statement .. .. .. .. | vi. | 316 |
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| Praise, it is remarked, is due to Mr. C. Walter for the ability he has shown, and the pains he has taken, in the conduct of certain trials, and in making himself acquainted with the difficulties of the Sowcar's accounts | vi. | 747 |
| A Session Judge acted incorrectly in discharging, without trial, a prisoner's brothers and uncle who had been committed for trial together with the prisoner. If required as witnesses, they should have been pardoned, and their evidence taken according to law | vi. | 793 |
| A prisoner having been committed for trial to the Sessions Court, it was not competent for a Session Judge to transfer him to other authority, or dispose of him, except in due course of law | vi. | 794 |
| Entering on the defence, and thence adverting to the prosecution, is opposed to a fundamental rule for the conduct of criminal trials, as laid down in Section 38 Regulation [illegible] 1827 | vi. | 794 |
| No considerations of convenience will justify a departure from procedure laid down in the regulations for the conduct of criminal trials | vi. | 794 |
| A torture case should not be tried at all by a Deputy Magistrate | vi. | 794 |
| Noticed instance of a trial which has been very badly conducted | vi. | 885 |
| A Session Judge, having referred to his Assistant a case which he should have tried himself, ought, when requiring fresh evidence, to have directed that also to be taken by his Assistant, and not have taken it himself | vi. | 931–932 |
| A Session Judge can, under Clause 4 Section 12 Regulation XIII. of 1827, take a trial referred to an Assistant into his own hands, but he cannot make further inquiry into a case completed by his Assistant | vi. | 932 |
| Noticed instance in which a trial was unnecessarily protracted, and how it might have been advantageously abbreviated by the Session Judge | vii. | 10 |
| A trial, otherwise completed, need not be adjourned because a prisoner, at the last moment, says he has witnesses to call | vii. | 199 |
| Two prisoners, who were tried in one charge of perjury, because it so happened that both perjured themselves in the same case on the same day, should have been tried separately, inasmuch as the offence of each was as distinct as if it were committed in a different case and on another day. The proceedings are therefore annulled, and the case returned in order that the prisoners might be properly tried | vii. | 212 |
| The Collector of Sholapore is directed by Government to try such cases arising at Akulcote as involve capital punishment, imprisonment for life, or transportation, in accordance with the rules now laid down; the trial of all other cases is to be left to the Raja of that estate | vii. | 274 |
| *See* also "Sholapore." | | |
| The Sudder Court appreciate the pains and trouble taken by Mr. C. Shaw, in the preparation of a series of cases committed for trial to the Sessions Court | vii. | 326 |
| British subjects, committing offences within British territory, are not subject to foreign jurisdiction, because the false evidence (forged documents) which they prepared in British was used in foreign territory | vii. | 367–373 |
| British subjects, conspiring in foreign territory, might be tried in that territory, but not for a forgery, or tampering with books, committed within British jurisdiction | vii. | 367–373 |
| British subjects can be tried in British jurisdiction not only for the acts committed in that jurisdiction, but for any offence committed in the Rewa Kanta | vii. | 367–373 |

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| Certain British subjects having been tried and sentenced in the Rewa Kanta for forgery committed within British territory, but uttered in the Rewa Kanta state, the trial and sentence are by Government, at the recommendation of the Sudder Court, annulled, and direction given to have the prisoners made over to be tried by the Magistrate of Kaira and Session Judge of Ahmedabad, before whom the Dufturdar of the Rewa Kanta can, through the Political Agent, be requested to attend to conduct the prosecution .. .. .. .. .. .. .. | vii. | 367-373 |
| An order affecting counsel in criminal case, that is, 'preventing certain persons from acting as counsel in criminal cases, is requested to be recalled .. .. .. .. .. .. | vii. | 378-381 |
| Noticed, on a trial, the amount of hearsay admitted; the irregular record of a note; and [illegible] allow a Vakeel to cross-examine parties [illegible] character of a witness.. .. .. | vii. | 395 |
| N[illegible] conspiracy, that a note is recorded which [illegible] be, but is not, evidence .. .. .. .. .. | vii. | 395 |
| [illegible] which the evidence of the Civil Surgeon is likely to be required, should be referred for trial to the authorities at the Sudder station .. .. .. .. .. .. .. | vii. | 477 |
| A Session Judge, in trying a case, should make himself acquainted with all that the several witnesses deposed to before the Magistrate; and, in calling them up, he should do so in such order as will make the evidence, as nearly as possible, one unbroken narrative .. .. .. .. .. .. .. .. | vii. | 765-766 |
| *See* also "Witness." | | |
| Noticed, and pointed out, the errors of procedure on a trial for murder conducted by a Session Judge .. .. .. .. | vii. | 765-769 |
| An Interpreter should not be sworn until after the prisoners are placed at the bar; but the better plan, and that recommended for general adoption, is to swear the Interpreter again, at the end of the trial, to his having interpreted faithfully .. .. .. | viii. | 44 |
| From the English record of a trial, it would appear that the Interpreter was sworn before the prisoner had been placed at the bar—a proceeding altogether irregular .. .. .. .. | viii. | 138 |
| Noticed the mistakes of an Acting Session Judge in a trial for culpable homicide .. .. .. .. .. .. .. | viii. | 230-231 |
| A prisoner tried for 'fraud,' which is most clearly proved against him, should have been tried under Section 5 Act XIII. of 1850, and not under Section 2 Act I. of 1852 .. .. .. .. | viii. | 288 |
| Noticed, on a trial for 'perjury,' that giving two contradictory statements, on solemn affirmation, does not necessarily amount to perjury .. .. .. .. .. .. .. .. | viii. | 336 |
| Noticed, on a trial for murder, that there is no evidence to prove that the inquest report, recorded in the case, was that of the inquest held upon the prisoner's wife .. .. .. .. | viii. | 348 |
| Letters on the subject of a trial for 'treason,' though issued from the secret department of the Secretariat, should have been recorded on the trial; the contrary could never be intended, and could never be allowed .. .. .. .. .. .. | viii. | 477-478 |
| Noticed instance in which a case of 'robbery, without force,' should have been tried under Act XIII. of 1850.. .. .. | viii. | 494 |
| An Assistant Magistrate is instructed that, when he commits a prisoner for trial before the Sessions Court, he should not record a conviction beforehand .. .. .. .. .. .. | viii. | 584 |
| Clause 2 Section 37 Regulation XIII. of 1827 lays down that confession before the trying authority is sufficient for conviction. | viii. | 584 |
| It is recorded, on a trial in which a prisoner pleaded guilty, that the prisoner was put on his defence, which was superfluous, as he had pleaded guilty .. .. .. .. .. .. | viii. | 585 |

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| Act XXXVIII. of 1850 requires that a person shall be defended by his agent.. .. .. .. .. .. .. .. | viii. | 614 |
| An inquest report ought not to be recorded until after it is proved that the person on whom it was held was dead .. .. | viii. | 650 |
| Noticed instance in which a prisoner, charged, tried, and convicted under one name, is sentenced under another .. .. .. | viii. | 651 |
| Noticed as wrong, the reception and record of hearsay on a trial for murder.. .. .. .. .. .. .. .. | viii. | 650-651 |
| Noticed, and pointed out in detail, the errors committed by a Session Judge on a trial for murder .. .. .. .. .. | viii. | 674-675 |
| Noticed that, to make a trial for murder perfect, the evidence of the prisoner's brother, who had apprehended the prisoner, should have been taken .. .. .. .. | ix. | 32 |
| A fine of five hundred Rupees, or in default imprisonment with hard labour for six months, appears a light sentence in case of perjury; for, though the person against whom the prisoner appeared as a witness was his brother, still he was on trial for the murder of another brother .. .. .. .. | | |
| An Assistant Magistrate should not, in committing a prisoner, record 'the prisoner is found guilty and committed to the Sessions for trial' .. .. .. .. | ix. | 71 |
| A prisoner cannot be legally arraigned, or put on his trial for culpable homicide; and no court can take cognizance of the offence but one competent to try a prisoner for murder .. | ix. | 73 |
| A prisoner, having been tried by incompetent authority, and for the offence of culpable homicide, with which a prisoner cannot be legally charged, the sentence is annulled, and the prisoner directed to be committed to take his trial before the Sessions Court for murder .. .. .. .. .. .. | ix. | 73 |
| Noticed instance in which a Police Patel might have been punished departmentally, instead of being subjected to a criminal trial .. | ix. | 106 |
| A Session Judge is requested to explain why, in a trial held before him for conspiracy, the assessors were not sworn .. .. | ix. | 173 |
| A Magistrate ought, when he annulled a sentence of the Deputy Magistrate, to have committed the accused for trial before the Sessions Court, as was pointed out to him by the Deputy Magistrate .. .. .. .. .. .. .. .. | ix. | 196 |
| It was not necessary to record the translation of the confession made by another prisoner in another trial, as nothing in the present case was involved in that confession, and all that it was required to prove was, that the attestation of the prisoner under trial was affixed .. .. .. .. .. .. .. | ix. | 205 |
| Pointed out the manner in which a Session Judge should have conducted a trial for murder .. .. .. .. .. | ix. | 227-228 |
| To try prisoners under Act XVII. of 1857, the Judge and Magistrate must have been vested, which they were not, with the special powers which that Act requires .. .. .. .. .. | ix. | 247-249 |
| Noticed as surprising, that, in a clear case of attempt at murder, the Assistant Magistrate should have committed the prisoner to take his trial for 'serious assault' only .. .. .. .. | ix. | 437 |
| Noticed the great delay in the preparation of a case which, committed on the 17th June, was completed, certainly, on or about the 13th or 30th August, but for the trial of the prisoners in which application was not made to Government until the 16th January. | ix. | 472 |
| The sentences confirmed by a Magistrate, on prisoners undergoing a longer imprisonment than the full penal jurisdiction an Assistant Magistrate is competent to adjudge, are annulled; but the prisoners are directed, at the expiration of their former sentence, to be returned to the Magistrate for trial on the fresh charges, or for release, as to him might then seem proper .. | ix. | 481 |

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| The depositions of two persons, which were read on a trial for murder, should have been translated, and their substance entered in the proceedings, under printed circulars No. 14, of the 20th May 1828, and No. 31, of the 14th March 1830 .. .. | ix. | 500 |
| Noticed instance in which there was no necessity for recording a fresh plea, and recommencing the trial, the prisoner having pleaded guilty, and confirmed his confession after having had the sentence read over to him .. .. .. .. .. | ix. | 502 |
| The Court remark that the observations of Mr. R. H. Pinhey, in his review of the proceedings of a trial for conspiracy, are noticeable for the sagacity and penetration displayed in them .. | x. | 47 |
| Observed that, perhaps under the spirit of circular order No. 417, a trial for conspiracy might have been properly delayed till the judgment of the Collector in appeal, had been delivered .. | x. | 47 |
| A case of 'appropriation of property by breach of trust' ought to have been committed to the Sessions, and not to have been disposed of summarily by the Deputy Magistrate.. .. .. | x. | 63 |
| A case of 'robbery, with force, by night; and detaining a person in unlawful confinement,' ought to have been committed to the Sessions, and not left to have been disposed of by a Deputy Magistrate .. .. .. .. .. .. .. .. | x. | 80 |
| A plea of guilty of killing the deceased in self-defence is a plea of 'not guilty of murder,' and ought to have been so recorded .. | x. | 159 |
| Noticed, in reference to a Mahalkuree (subsequently dismissed), that it would have been better, perhaps, that he should have been committed to take his trial for extortion before the Sessions Court .. .. .. .. .. .. .. | x. | 294 |
| Noticed of a case, that the charge of 'conspiracy' cannot hold, but one for 'perjury' might possibly be preferred; and, if so, the parties should be tried and committed for that offence .. | x. | 301 |
| Noticed that a Session Judge should, in the trial of a case, have arranged the witnesses differently, .. .. .. .. | x. | 530 |
| Noticed that a trial 'for robbery, with force, by night,' is faulty.. | x. | 571 |
| Noticed, with reference to a case of 'gang robbery, with force, by night,' that the Court cannot, in a trial which is so defective, defer to the trying authority's appreciation of the evidence .. | x. | 583 |
| Noticed instance in which both prisoners should have been tried for attempt at murder .. .. .. .. .. .. | x. | 592 |
| Statements taken before a Police officer, in the absence of the accused, cannot be considered as depositions to be used against him on a trial before a District Police Officer, or an Assistant Magistrate .. .. .. .. .. .. .. .. | x. | 680 |
| Trimbucka bin Luxima.—Perjury .. .. .. .. .. | ii. | 649–652 |
| Trimbukrow Wamun.—Abuse of authority as a Native officer in the Police department .. .. .. .. .. .. .. | iv. | 665–681 |
| Trimbuk Sukharam.—Praying that an order to attend at the chowkee, because he could not give security, might be annulled.. .. | vi. | 784–785 |
| Trimbukia wulud Bapoo and two others.—Robbery, without force, by day .. .. .. .. .. .. .. .. .. | v. | 57– 64 |
| Trott, J. H., Mr. | | |
| Commended, and noticed as most creditable, Mr. J. H. Trott's proceedings in a case of murder .. .. .. .. .. | v. | 33 |
| Tucker, L. H. B., Mr. | | |
| The proceedings of Mr. L. H. B. Tucker, in a case of serious assault, committed at Broach, are pronounced most satisfactory. | ix. | 354 |
| Tukavee, | | |
| It would be stretching the regulations too far to say that, by attesting the documents passed to Government for 'tukavee,' an Oogratdar falsified accounts; or that, the document being an official account, it was his duty to form, keep, or attest .. | ii. | 308–309 |

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| Tulatee (Stipendiary Village Accountant), | | |
| A Tulatee is charged with making, with fraudulent intent, a false entry in his accounts; fraudulently preparing a false account; and fraudulently appropriating public money .. .. .. | viii. | 735–750 |
| Tulsee Nurotum.—Serious assault .. .. .. .. .. | vi. | 815–816 |
| Tulwar, | | |
| Abuse of authority by a Tulwar .. .. .. .. .. | vi. | 118–119 |
| Tumya bin Noorundapa.—Murder, attended with robbery .. .. | vi. | 473–479 |
| Turbulence, | | |
| Simply stating, but not showing, that a prisoner is a turbulent character, being no warrant for binding him to refrain from any illegal act, the order for security to that effect is cancelled .. .. .. .. .. .. .. .. | i. | 409 |
| Taroo wulud Alybhaee.—Petty theft; attempt to commit theft; and receiving stolen property, knowing or having evident ground for suspecting it to be stolen .. .. .. .. .. | iii. | 780–784 |
| Turquand, W. J., Mr. | | |
| The Court commend the Joint Magistrate's (Mr. W. J. Turquand) diligent prosecution of an inquiry which led to a trial for murder .. .. .. .. .. .. .. .. | iii. | 6 |

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| Ubdoola Eesak, and seven others.—Conspiracy .. .. .. | viii. | 394–488 |
| Ditto ditto ditto .. .. .. .. | ix. | 185–193 |
| Ubhram Mohummud, and nine others.—Assault .. .. .. | viii. | 371–488 |
| Uchrut, widow of Dewshunker Chundreshwur.—Removing her own pregnancy by procuring abortion .. .. .. .. .. | ii. | 481–482 |
| Ujjoo Baja.—Murder .. .. .. .. .. .. .. | i. | 38– 40 |
| Ujoo Parshung.—Culpable homicide .. .. .. .. .. | vi. | 509–512 |
| Ukla Ramsing.—Returning from transportation without pardon .. | x. | 664–665 |
| Ukya, *alias* Ukrya wulud Poonya, *alias* Poon.—Murder .. .. | iv. | 714–717 |
| Ulshee Adam.—Murder .. .. .. .. .. .. .. | iv. | 477–489 |
| Umroot wulud Shamjee, and another.—Receiving stolen property, knowing it to be stolen .. .. .. .. .. .. | iii. | 290–293 |
| Uncle, | | |
| Held as incorrect the proceedings of a Session Judge in discharging, without trial, the brothers and uncle of a prisoner committed together with the prisoner for trial. If required as witnesses, they should have been pardoned, and their evidence taken according to law .. .. .. .. .. .. .. .. | vi. | 793 |
| Undue exaction, | | |
| A Foujdar, having heard of a Police peon's exactions at the several gates of a town, should have taken measures to have discovered the fact, and to have had him punished before .. .. .. | v. | 542 |
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| The Magistrate should notify to the people that the members of an inquest are not witnesses whose attendance is required before the Assistant Magistrates, and therefore, that when they have made their report, they can remain in their village until their attendance is required before the Session Judge.. .. .. | v. | 411 |
| A Magistrate should not dispose, in a summary way, of an accusation of bribery, founded on a dispute regarding village boundaries, but should entertain the complaint, and dispose of the case as he would of any other criminal charge .. .. .. .. | v. | 537 |
| A village goldsmith cannot be tried for fraud, as a village officer, under Chapter 2 Regulation XVI. of 1827, nor under the provisions of Section 3 Regulation V. of 1833 .. .. .. | vi. | 183 |
| Placing mohsul upon a village is a most objectionable way of obtaining evidence, and were proof dependent solely upon the evidence so obtained, the prisoner would have to be discharged. | vi. | 896 |
| Revenue survey officers having power, under Act III. of 1846, to erect boundary-marks, on the occupiers of land refusing or neglecting to do so, and to recover the expenses as revenue demands, should not, on the ground of emergency or despatch, force the labourers in the villages to perform such work .. | vii. | 144 |
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| A prisoner's detention in confinement, simply because the Police and villagers do not do their duty, is refused .. .. .. | vii. | 568 |
| Noticed instance in which, while the District Police Officer is in the village, the Patel and Police peons are sent to question the prisoners, and take their confessions from them—a duty which the District Police Officer should have himself performed. | vii. | 778 |

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| Certain parties in a village refusing to grant carts at the requisition of the Magistrate, but other parties, from a neighbouring village, granting them cheerfully, it was held that, in such a case, there was no necessity to put the regulations against the former, the fines imposed on whom are directed to be returned .. .. | viii. | 170 |
| In fining villagers for neglect and misconduct, in allowing robbers to remain in their village for about an hour plundering a fellow-townsman without affording him any aid, the Court direct the exemption of eight female householders, whom the Magistrate ought to have exempted from the fine when the case came before him .. .. .. .. .. .. .. .. | viii. | 178 |
| Noticed in a case of murder, that no explanation is given of the absence of the Mookhee from the village, nor why the provisions of Clause 1 Section 6 Regulation XII. of 1827 are not observed, and the duties of the Police Patel carried on, during his occasional absence, by the person next to him in responsibility and influence in the village.. .. .. .. .. | ix. | 577 |
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| A person holding a 'putta' for a village in Guzerat under the talookdaree system, having had a 'mohsul' placed upon him for failing to comply with the orders of Government to become security for that village, is, on appealing to the Sudder, told that the Court will not interfere, that, being a tenant-at-will, he can give up the village if he please .. .. .. .. | ix. | 370 |
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| An Acting Session Judge's letter and a case of murder by a Warlee woman, are to be laid before Government, in the hope that some measures may be adopted for the civilisation of the Warlee tribe. | vii. | |
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| Wife, | | |
| Inquiry should have been made into the statements of a prisoner, who averred he killed his wife under the influence of excitement, arising from the belief that she had improper connexion with another man .. .. .. .. .. .. .. | i. | 18 |
| Observed that the wife of the prisoner should not have been examined .. .. .. .. .. .. .. .. | i. | 128 |
| The law does not permit a husband to lay by for an opportunity of showing his resentment, and after having exposed his wife to temptation, to complain of her infidelity.. .. .. .. | i. | 172 |
| To entitle a husband to take proceedings against his wife for adultery, under Act II. of 1845, it must be shown that he has conducted himself properly towards his wife .. .. .. | i. | 172 |
| Remarked in a case of adultery, that the local Patel, or Foujdar, should have been cited to speak to the conduct generally of the husband towards the prisoner—his wife .. .. .. .. | i. | 172 |
| Noticed the impropriety of calling upon a wife to give evidence against her husband; the crime not unlikely to have sprung therefrom; and the false position in which the Court has been thereby placed .. .. .. .. .. .. .. | i. | 304 |
| The evidence of the wife of the prisoner should not have been taken against her husband.. .. .. .. .. .. | i. | 601 |
| A wife's evidence is not admissible against her husband, and her deposition ought not consequently to have been recorded .. | ii. | 660 |
| The recommendation to mitigate a sentence of death to one of imprisonment for life cannot be complied with, as the prisoner being an opium-eater is no extenuation of his guilt, nor any palliation for the murder of his wife, for a savage assault upon whom he was before sentenced to imprisonment.. .. .. | iii. | 273 |
| An Assistant Magistrate is in error in holding that the evidence of a wife against her husband is not legally admissible. The Judges of the Sudder Foujdaree Adawlut have held it inexpedient to use it as a general rule, but cases may occur demanding a deviation .. .. .. .. .. .. .. | iii. | 417 |
| Observed in a case of gang robbery, that the evidence of a woman (the wife of one of the prisoners) should not have been taken.. | iii. | 779 |

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| A man convicted of culpable homicide for killing his wife, and wounding her paramour, in allegedly the very act of adultery, is awarded by the Sudder a mitigated sentence of solitary imprisonment for one month .. .. .. .. .. .. | vi. | 830 |
| Noticed on a trial for murder, that there is no evidence to prove that the inquest report recorded in the case, was that of the inquest held on the prisoner's wife.. .. .. .. .. | viii. | 348 |
| Holding it but natural in a man to conceal the guilt of his wife, of whose acts of robbery and murder he was not, until after they were committed, cognisant, the Sudder annul the sentence of the Sessions Court, and order the prisoner's release.. .. | viii. | 585 |
| Transportation for life appears a sentence lenient for the manner in which the murder of a woman was effected by her husband.. | ix. | 381 |
| Government direct that the prisoner (Vikya bin Ramjee), who, it is decided, took the life of his wife (Jankee), he being at the time of unsound mind, shall be forwarded to the Lunatic Asylum at Colaba .. .. .. .. .. .. .. | ix. | 562 |
| The village Police were greatly in fault in not coming to the deceased, when appealed to by his wife, and taking his deposition before he died .. .. .. .. .. .. | x. | 209 |
| A woman, still maintaining a claim against her husband, is bound to conduct herself as his wife, even though they may have lived separately for ten years .. .. .. .. .. | x. | 595 |
| *See* " Female," " Woman." | | |
| Wilful, | | |
| A man should not be tried for perjury because the trying authority, trying a case in which he was witness for the defence, obtained from him a statement which, having no reference to the defence, he did not come prepared to make, and which cannot, therefore, be held to be wilful .. .. .. .. .. .. | x. | 604 |
| For the wilful commission or neglect of any act, *see* the act itself; as for wilful murder, *see* " Murder"; wilful neglect of duty, *see* " Neglect of Duty." | | |
| Will, | | |
| Inquiry and report are directed as to the practice of the Nazir's department in taking copies of wills, and in whose custody the registered copy of a will was retained until called for by the Moonsiff .. .. .. .. .. .. .. .. | iii. | 375 |
| A Nazir is enjoined, in taking copies of wills, and all other such documents, to see that they contain every item borne on the original .. .. .. .. .. .. .. .. | iii. | 377 |
| Wish, | | |
| As a prisoner did not express a wish, as the other prisoners did, that his former statement should not be recorded, it ought to have been recorded.. .. .. .. .. .. .. | iv. | 711 |
| Wishwanath Mahadeo.—Obstructing the course of public justice .. | ii. | 557–562 |
| Wiswanath Kesow.—Petition to the Sudder against the decision of the Magistrate .. .. .. .. .. .. .. .. | iv. | 508–509 |
| Witch, | | |
| A Session Judge too readily assumes that a woman was murdered because esteemed a witch, and too hastily advances this presumption as an extenuation, if such it ought to be, for such a heinous crime as murder .. .. .. .. .. .. | i. | 334 |
| Murder of a woman because esteemed a witch .. .. .. | ii. | 260–269 |
| Ditto ditto ditto .. .. .. | ii. | 645–649 |
| Ditto ditto ditto .. .. .. | vii. | 1– 6 |
| Ditto ditto dttto .. .. .. | vii. | 6– 11 |
| *See* also " Murder." | | |
| Proclamation by the Magistrate of Ahmedabad, prohibiting dehroo, and the practice of magic, sorcery, and witchcraft .. .. | viii. | 254–256 |

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| The reason assigned by an Acting Session Judge for not passing a capital sentence upon a man for the murder of a woman, because she was esteemed a witch, is inadmissible.. .. .. | x. | 356 |
| Cited instances in Candeish, and in the Konkun, in which parties had been sentenced to death for the murder of a woman reputed to be a witch .. .. .. .. .. .. .. | x. | 356-357 |
| Witchcraft.—*See* "Witch." | | |
| Witness, | | |
| The confession of a prisoner should have been taken down before the attesting witnesses .. .. .. .. .. | i. | 11 |
| A Magistrate, who found it expedient to try a prisoner in the place in which a bad feeling existed against him, should have strictly observed the law of procedure, and not have entered upon judgment at once, without allowing the prisoner the opportunity of examining a single witness .. .. .. .. .. | i. | 42 |
| A witness happening to be of the same caste, &c. as the person in whose favour he is giving evidence, is no valid reason why he should not be credited .. .. .. .. .. .. | i. | 70 |
| Noticed instance in which two jurors were called into Court together, contrary to the rule that two witnesses shall not be in Court at the same time .. .. .. .. .. .. .. | i. | 80 |
| The wife of a prisoner should not have been examined as a witness against her husband .. .. .. .. .. .. | i. | 128 |
| Noticed omission of the entry of witnesses ages in the English proceedings of a Deputy Magistrate .. .. .. .. | i. | 210 |
| An officer of the Guzerat Horse should not have taken up a case in which the men of that corps were interested as complainants and witnesses, but have left it for inquiry by some other magisterial officer.. .. .. .. .. .. .. .. | i. | 270-271 |
| Noticed in a trial for rape, that the evidence of two women mentioned by a witness is not given, nor does the Session Judge, in his finding, make any allusion to their testimony .. .. .. .. .. .. .. .. | i. | 374 |
| The husband of the complainant being the only person who deposed to his wife's wearing jewels of which others were accused of having robbed her, the evidence of the Patel, and of some other party who were acquainted with the woman, should have been taken in respect to these her adornments .. .. .. | i. | 398 |
| Parsees should be always sworn, instead of being put on solemn affirmation like other witnesses .. .. .. .. .. | i. | 424 |
| A principal witness ought not to be employed as a juryman .. | i. | 446-447 |
| A witness for the prosecution ought not to have been summoned on the inquest, which should always be composed of impartial persons .. .. .. .. .. .. .. .. | i. | 447 |
| A Magistrate is requested to examine and report on the evidence of witnesses omitted to be taken by the Session Judge.. .. | i. | 521 |
| Witnesses should not have been punished for prevarication under a regulation not applicable to the offence .. .. .. | i. | 555 |
| Every person whose evidence is taken in a criminal case must be sworn .. .. .. .. .. .. .. .. | i. | 574 |
| The youth of witnesses is no reason for their not being sworn | i. | 574 |
| The statements of such as are too young or too ignorant to be sworn, cannot be taken .. .. .. .. .. .. | i. | 574 |
| Noticed the non-examination of a witness, and that no reasons are entered in the proceedings to show why he was not examined .. .. .. .. .. .. .. .. | i. | 648 |
| Noticed instance in which the inquest report, and statement of a deceased person, are not proved as documents attested by witnesses, but should be proved by the witnesses recognising their signatures .. .. .. .. .. .. .. | i. | 673-674 |

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| The way to prove an inquest report, or any paper bearing the signature of witnesses, is not by reading it over to them, but by showing them their signatures, and on their recognising these, discovering what the document is.. .. .. .. .. | ii. | 6 |
| The evidence of the witnesses to an inquest report ought to have been taken separately, and not conjointly .. .. .. | ii. | 6 |
| When an inquest report, or any other paper bearing the signature of witnesses, has been proved by the evidence, taken separately, of the attesting witnesses, it should then be read, and afterwards recorded .. .. .. .. .. .. .. .. | ii. | 7 |
| A person, who made the plan of a scene of murder, should have been examined to prove that it was a true representation of the several spots to which the witnesses had referred in their depositions.. | ii. | 7 |
| Noticed instance in which the evidence of certain witnesses should have been taken .. .. .. .. .. .. .. | ii. | 16 |
| A confession, made before the Sessions Court, did not require two or any witnesses for its authentication in that same court .. | ii. | 31 |
| A Session Judge finds fault with an Assistant Magistrate for not having sent up the witnesses who apprehended the prisoners, but does not himself send for and examine them, as he should have done .. .. .. .. .. .. .. | ii. | 74 |
| When a witness, in his deposition, states himself in, or as discharging 'service,' the particular class of 'service' should be specified. | ii. | 112 |
| Observed that a trial, in which seventeen witnesses were examined, lasted six days, and was then adjourned for four more, in order that the Judge might consider his finding .. .. .. | ii. | 133 |
| A statement, for the purpose of establishing an *alibi*, though not corroborated by the witnesses called to prove it, became evidence for the prosecution, and the Session Judge should have proved it, and have examined the witnesses originally called for the defence, or the prosecution.. .. .. .. .. .. | ii. | 139–140 |
| The Sudder Court is at a loss to understand, from the examination as recorded, how the evidence of certain parties, in a trial for perjury, was elicited without leading questions being put to the witnesses .. .. .. .. .. .. .. | ii | 142 |
| Observed an instance in which certain witnesses, to depose to certain material facts, should have been examined .. .. .. | ii. | 158 |
| The finding in a trial should be drawn from the substance of all the depositions taken together, and not from a recapitulation of what each witness says separately .. .. .. .. | ii. | 167 |
| The name, age, caste, religion, and profession of the witnesses, should have been, but is not, recorded on a trial by the Assistant Session Judge .. .. .. .. .. .. .. | ii. | 167 |
| An Assistant Magistrate should have recorded his having asked the prisoners if they had any witnesses to call .. .. .. | ii. | 175 |
| Witnesses should not have been allowed to repeat their conversations .. .. .. .. .. .. .. .. | ii. | 174–175 |
| Copies of the depositions of several witnesses, in which the fact of a prisoner's having been beaten is sworn to, are forwarded to the Magistrate, for inquiry into the allegations .. .. .. | ii. | 184 |
| The statements of two prisoners, not having been proved and recorded neither for the prosecution nor for the defence, should not have been alluded to by the Session Judge when cross-examining the witnesses for the defence, nor in his finding .. | ii. | 198 |
| A witness should have been examined more closely as to the spot whence the corpse of the murdered man appeared to have been dragged .. .. .. .. .. .. .. .. | ii. | 198 |
| The depositions of witnesses, in an *ex-parte* inquiry, ought not to have been taken upon solemn affirmation .. .. .. | ii. | 211 |

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| A Mamlutdar should, on inquiring into a case, the prisoner being present, have taken the depositions from the witnesses themselves, and not have recorded, nor have made use of, the depositions taken by a Deputy Magistrate .. .. .. .. | ii. | 211-212 |
| A deposition, which the attesting witnesses did not hear made, but were told to attest by the deceased, should not have been recorded without examining the Karkoon who wrote it, and if he proved it, it might then have been recorded .. .. .. | ii. | 225-226 |
| The practice of the courts requires two jurymen as witnesses at a trial .. .. .. .. .. .. .. .. .. | ii. | 267 |
| When jurors are brought before a court, they ought not to be examined in a body, but separately, and that they are so, should be recorded in the proceedings, to show that two witnesses are not in the court at the same time .. .. .. .. | ii. | 267 |
| Evidence of the burial of the deceased should have been taken to endeavour to corroborate the assertion of a witness that it took place in accordance with the advice of the Bhugut .. | ii. | 268 |
| An Interpreter should have been put on his solemn affirmation before he began to interpret .. .. .. .. .. | ii. | 268 |
| A Session Judge should not have refused to examine witnesses for the defence, for the reason that they were pretty sure to depose in the prisoner's favour .. .. .. .. .. .. | ii. | 278 |
| Witnesses need not have been examined for the prosecution as to what a prisoner said before the District Police Officer, as what he had said on that occasion was recorded in the defence, when it ought to have been recorded in the prosecution .. .. | ii. | 278 |
| Witnesses, examined to prove documents, should not be asked whether they know the prisoner, and whether they wrote or attested his deposition at such a place, but the document or deposition should be shown to them, and they should be asked whether they know the handwriting or signatures, and upon their recognising them, they should be examined as to the circumstances under which they wrote or attested the deposition or document .. .. .. .. .. .. .. | ii. | 281 |
| The examination of attesting witnesses need not include a recapitulation of what, in the deposition, they attested; it is sufficient that they were in Court and heard the deposition given; saw the Karkoon take it down; heard what he took down read over to the deponent; that it was the same as he had dictated; that he acknowledged it, and signed it; and that that is the document upon which he has recognised his signature .. .. | ii. | 283 |
| Noticed the discrepancy between the report of a Session Judge and the statement of a witness, relative to the same subject .. | ii. | 407 |
| Noticed instance in which an evidently important witness was not examined by the Session Judge, or Magistrate .. .. .. | ii. | 411 |
| A witness, sent to a Magistrate to be committed for perjury, is committed and sentenced to three months imprisonment with hard labour .. .. .. .. .. .. .. .. | ii. | 411 |
| A Magistrate is, through the Session Judge, informed that a case of murder would have been more complete had two of the prisoners been, from the first, made witnesses in it .. .. | ii. | 478 |
| The Session Judge should have obtained from the witness information as to what became of the ornaments she gave her husband when the house was attacked, since the robbers obtained no booty .. .. .. .. .. .. .. .. | ii. | 516-517 |
| All the details set forth in the petition of the witnesses, in a case of extortion, should have been elicited, and placed on record .. | ii. | 518-519 |
| Noticed an irregularity in the mode in which the cross-examination of the different witnesses has been conducted in a trial for forgery. | ii. | 539 |

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| The particulars mentioned in Clause 1 Section 36 Regulation XIII. of 1827—namely, the name, age, sect, religion, caste, and profession of a witness, should be ascertained, and entered after the witness shall have been put on solemn affirmation .. .. | ii. | 539 |
| An Assistant Session Judge might have saved himself much trouble, in recording the evidence for the defence, in a case of forgery, if he had borne in mind that it is by the evidence of the witnesses to the bond itself that a bond must stand or fall .. .. | ii. | 540 |
| Remarks that may be necessary on the evidence of a witness should appear at the close of it; a Judge should abstain from mingling running comments with the contents of a deposition .. .. | ii. | 581 |
| Noticed a Session Judge's omission to examine witnesses, and his basing his conviction upon the proceedings of another which is not evidence .. .. .. .. .. .. .. | ii. | 674 |
| A Deputy Magistrate had no power to pardon and employ as a witness, without the Magistrate's sanction, one who was evidently concerned in the crime of murder then under investigation .. | iii. | 51 |
| The name, age, sect, religion, caste, and profession of a witness, should, as specified in Clause 1 Section 36 Regulation XIII. of 1827, be ascertained, and entered after the witness has been put on solemn affirmation .. .. .. .. .. .. | iii. | 129 |
| Noticed, in a case of rape, that the evidence for the defence failing, the witnesses should have been examined for the prosecution, as a charge for rape is easily made and extremely difficult to be refuted, and consequently all available evidence should be recorded .. .. .. .. .. .. .. .. | iii. | 151-152 |
| Noticed that no reason is assigned for the absence of the evidence, in a case of murder, of a very material witness, who might have ensured the conviction of both prisoners, without resorting to the testimony of an accomplice against one of them .. .. | iii. | 166 |
| A witness must be examined in the language he is best acquainted with, and the deposition, being signed, becomes an exhibit in the case, and is regarded as the original evidence, for the truth of which the witness is responsible .. .. .. .. | iii. | 213 |
| A Magistrate waived taking the evidence of the prisoners witnesses; yet, without hearing them, records there is every reason to suppose that they were in possession of the other stolen articles, regarding which he had precluded himself from making any comment .. .. .. .. .. .. .. | iii. | 241 |
| The conduct of three witnesses being worthy of especial notice, the Sudder Court direct that they receive a reward of twenty Rupees each, under Section 33 Regulation XII. of 1827 .. | iii. | 324 |
| The witnesses for the defence not being present, their examinations before the Police ought not to have been recorded .. | iii. | 331 |
| Witnesses for the defence, who had disproved the *alibi* set up by the prisoner, should have been cited for the prosecution .. | iii. | 331 |
| Noticed, in a case of 'robbery, attended with murder,' the absence of a witness whom the Session Judge directed to be sent up with the case .. .. .. .. .. .. .. | iii. | 364 |
| Noticed the neglect of a First Assistant Magistrate to examine the other witnesses in a case of 'robbery, attended with murder.' | iii. | 364 |
| As a general rule, the character of a witness is so far inconsistent with that of the prosecutor, that the latter must be considered an interested party .. .. .. .. .. .. .. | iii. | 599 |
| Noticed, in a trial for murder, the improper rejection by a Session Judge of the evidence for the defence of two witnesses, because they were prostitutes, and because one of them possibly prostituted herself to the prisoners every day—an assumption which there is no trace of evidence to justify .. .. .. .. .. | iii. | 659 |

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| It is feared that Police officers too frequently write down in their own words, and not in those of the witness, merely the general impression which they receive from the depositions given .. | iii. | 710 |
| The fine imposed upon a witness is remitted, as a Session Judge is not authorised by law to fine a witness for contradictions in his deposition .. .. .. .. .. .. .. | iii. | 717 |
| A witness is, for giving false evidence on a trial for murder, remanded to the Magistrate by the Sessions Court, that a charge of perjury may be preferred against him.. .. .. | iii. | 823-824 |
| Conviction cannot be allowed to take place on the unsupported testimony of a witness who admits having accused another prisoner falsely, because she thought it would be pleasing to the Police .. .. .. .. .. .. .. .. | iii. | 834 |
| A woman, who was guilty, according to her own statement, of 'concealment of murder before and after the fact,' and had been examined as an accused person on a charge of 'murder,' ought to have been pardoned before her evidence was taken, and not have been cited as a witness for the prosecution, for, until she was pardoned, she was exempted by law from being called upon to state any matter criminatory of herself. Her conviction and sentence for perjury are annulled .. .. | iii. | 868-869 |
| A Magistrate is informed that the omission in his Assistant's record of any mention of his having fined a witness for prevarication was very improper .. .. .. .. .. | iii. | 880 |
| Act XXX. of 1841 does not apply to prevarications; and the omission, in a First Assistant Magistrate's record, of any mention of his having fined a witness for prevarication was very improper .. .. .. .. .. .. .. | iii. | 880 |
| A Magistrate should always inform the Sessions Court when he has rewarded a witness, and the Session Judge should record the information.. .. .. .. .. .. .. .. | iv. | 29 |
| The evidence against a prisoner, resting solely upon his identification, after the lapse of from seven to eight years, by witnesses who, now deposing to have distinctly recognised the prisoner, never named or accused him at the time, is insufficient to enable the Court to confirm his conviction .. .. .. .. | iv.. | 75- 76 |
| Observed that the deposition of a witness is almost entirely composed of hearsay .. .. .. .. .. .. | iv. | 99 |
| The description of a witness should be taken down after solemn affirmation is made.. .. .. .. .. .. .. | iv. | 169 |
| A case of a perjury not having been taken up until a month after its commitment, all the witnesses should have been ready to enable the Sessions Court to dispose of it in one day, whereas it is observed, with regret, that three days have been occupied in trying it .. .. .. .. .. .. .. .. | iv. | 176 |
| Noticed instance in which there was a sufficiently *primâ facie* case against a witness to have warranted a Deputy Magistrate, by preparing the case with greater care, in committing him for trial. | iv. | 451 |
| *Attention is called to Clause 1 Section 37 Regulation XIII. of 1827, which requires the second attesting witness to the admission of a prisoner before the Foujdar to be sent up with the case to the Sessions Court .. .. .. .. .. .. .. ..

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| Brought to the notice of a Magistrate the lax method adopted by the Deputy Magistrate, who, instead of detailing the heads of information given by each witness, is in the habit of contenting himself with some such remark as this—'to the same effect as witness No. 29;' or 'deposes as witness No. 14' .. .. | iv. | 957–953 |
| Two witnesses are forwarded to the Magistrate that charges may be preferred against them, for having perjured themselves on a trial before the Sessions Court .. .. .. .. .. | iv. | 934–936 |
| A trial for 'robbery, with murder,' was delayed two days for the attendance of two persons who should have been forwarded with the case as witnesses to the deposition of the deceased, for whose murder the prisoners were arraigned .. .. .. | iv. | 934–936 |
| The copy of a warrant, showing the former conviction of a prisoner, should be proved by a competent witness from the duftur, or record office .. .. .. .. .. .. .. | v. | 64 |
| A Session Judge's views of the priority which should be given to civil appeals, when a criminal one was on his file ready for trial, and the witnesses in attendance, are erroneous .. .. .. | v. | 64 |
| Noticed instance in which witnesses do not appear to have been called upon by the Session Judge for their defence, nor do the proceedings show that they had any opportunity for rebutting the prosecution .. .. .. .. .. .. .. | v. | 81 |
| The alarm or excitability of a witness, a Judge himself can best determine, and can best allay, refraining to examine him until reassured .. .. .. .. .. .. .. .. | v. | 115 |
| As long as a witness understands the difference between truth and falsehood, and the purpose for which a solemn affirmation is required, his evidence is better taken on solemn affirmation, be he ever so young, for his knowledge supplies the immaturity of his years .. .. .. .. .. .. .. .. | v. | 120 |
| Noticed the unsatisfactory evidence adduced on a trial for riot, the witnesses being all of one party, and their depositions full of discrepancies .. .. .. .. .. .. .. | v. | 242 |
| A Magistrate ought not to have left to his Deputy the duty of informing prisoners of their committal, and of asking them whether they had any witnesses to call. He should have done this himself .. .. .. .. .. .. .. | v. | 272 |
| Confessions are not proved by the witnesses saying that they heard the statement read over to the prisoner, and that he admitted it, but the witnesses must be present at the time the statement is made, and having seen it taken down in writing, must attest it, and be able to declare the statement shown to them to be the one they heard given .. .. .. .. | v. | 315 |
| Suggested that, to put an effective stop to the possibility of a witness personating another man and escaping with impunity, the same form should be adopted in civil as in criminal cases, thus—<br>I do solemnly declare, &c.<br>My name is<br>My father's name is<br>My age is &c. .. .. .. | v. | 364 |
| A witness should not have been asked whether he admitted the document. The Court should have proved it, and then recorded it. | v. | 365 |
| The members of an inquest report are not witnesses whose attendance is required before the Assistant Magistrates, and therefore, when they have made their report, they can remain in their village until their attendance is required before the Session Judge. | v. | 411 |
| Witnesses need never be asked what the purport of a document is after they have proved it, unless there is reason to believe they are perjuring themselves .. .. .. .. .. .. | v. | 434 |

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| Suggested a form in which witnesses should be committed for perjury .. .. .. .. .. .. .. .. | v. | 598 |
| Ditto ditto ditto ditto .. | vi. | 842 |
| *See* also "Perjury." | | |
| A Magistrate who sentenced, under Act XXX. of 1841, to one month's imprisonment, a party charged with obstructing the course of public justice in another court, by tampering with the evidence of a witness in that court, could never have read the Act referred to when he tried the case, or passed the sentence, neither of which the Act in question contemplates nor sanctions .. .. .. .. .. .. .. | v. | 680 |
| A Session Judge is recommended to retain, for witnesses depositions, the form introduced by Mr. Hebbert .. .. .. | v. | 702 |
| A Magistrate is requested to call upon the Superintendent of Police to explain his proceedings, and state the orders he really gave a witness in a case of conspiracy .. .. .. .. | v. | 738 |
| A Magistrate need never, in cases he will not decide himself, examine attesting witnesses, nor witnesses to an inquest report, nor the Surgeon .. .. .. .. .. .. .. | v. | 824 |
| When a prisoner is pardoned, and admitted as a witness against others, his deposition should be invariably taken afresh from the commencement .. .. .. .. .. .. .. | v. | 838 |
| Noticed, as irregularities in a trial, that witnesses for the defence were first examined; then a written defence recorded, which should not have been recorded at all; then more witnesses were called for the defence .. .. .. .. .. .. | vi. | 114 |
| Noticed instance in which, contrary to the directions of circular No. 411, the evidence of the witnesses was not taken by the Superintendent of Police in presence of the prisoner, although the prisoner was in attendance at the time .. .. .. | vi. | 114 |
| A party, arraigned for 'instigating a Native officer to commit bribery,' having been seized by some peons as a witness, and having given them six annas to let him go, was held by the Sudder Court to have been guilty of no offence, nor to have instigated to the commission of bribery .. .. .. .. .. | vi. | 160 |
| A prisoner should, at the end of the proceedings before a Magistrate, be informed that he is committed to take his trial before the Session Judge for whatever the offence may be, and he should then be asked if he have any witnesses to call in his defence, and his answer be recorded .. .. .. .. | vi. | 167 |
| When attesting witnesses fail to prove a confession, the Karkoon who wrote it, or the village officer before whom it was given, should be examined as witnesses .. .. .. .. .. | vi. | 279 |
| Noticed a Session Judge allowing witnesses to depose to what they had heard, and his recording that hearsay as evidence, which is no evidence at all .. .. .. .. .. | vi. | 309 |
| A Sessions Judge, who very properly visited and made himself acquainted with the locality of a murder, recording in his finding his own impressions of how the accused must have come from Dharwar to the Boogudekal nullah, should have extracted it from the witnesses, the objection to the course he pursued being that it made him a witness whom the prisoner could not cross-examine .. .. .. .. .. .. .. .. | vi. | 337 |
| It is quite sufficient for an Assistant Magistrate to record in English the name of a witness, and as much of his deposition as he thinks fit, or as little as he pleases, and no more than is absolutely necessary to elucidate the case .. .. .. | vi. | 346 |
| Noticed a material discrepancy in the English and Murathee deposition of a witness .. .. .. .. .. .. | vi. | 393 |

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| The evidence of the witnesses of an inquest report, being merely formal, should not be unnecessarily protracted .. .. .. | vi. | 405 |
| The attesting witnesses to the deposition of the deceased not proving that document, the District Police Officer, or Karkoon, who wrote it, should have been examined .. .. .. | vi. | 472-473 |
| Observed that a Deputy Magistrate does not, after he commits prisoners, ask them whether they have any witnesses to call, which he should do .. .. .. .. .. .. .. | vi. | 481-482 |
| A trial being defective from the omission in the Session Judge to examine all the witnesses called for the defence, and it being felt that substantive justice may be defeated, if the decision be annulled, merely because these witnesses have not been examined, the papers are remanded to the Zillah Court, and an order issued to the Senior Assistant Session Judge to summon the witnesses who had been summoned and dismissed unexamined, and to take their evidence in presence both of the prosecutor and the prisoners, and send it to the Court, with his opinion upon the weight to be given to it .. .. .. | vi. | 640-645 |
| A complainant should not have been allowed to put a leading question to a witness .. .. .. .. .. .. | vi. | 757 |
| Held as incorrect, the proceedings of a Session Judge in discharging, without trial, the uncle and brothers of a prisoner who had been committed for trial with him. If required as witnesses, they should have been pardoned, and their evidence taken according to law .. .. .. .. .. .. | vi. | 793 |
| Witnesses should not be allowed to depose to facts without its being shown how they became acquainted with them .. .. | vi. | 888 |
| Noticed instance in which an important witness, in a case of murder, should have been examined .. .. .. .. | vii. | 5 |
| The recklessness and inattention of the witnesses, in a case of murder, should have been noticed and reprehended by the Session Judge .. .. .. .. .. .. .. | vii. | 14 |
| Perjury is apparent whilst the witness is deposing, and instantaneous committal is not only ordinarily practicable, but nearly the universal practice, and therefore the form of committal proposed in Vol. v., page 598, of Morris's reports, will suffice for all ordinary occasions .. .. .. .. .. .. | vii. | 79- 80 |
| *See* also "Committal," "Perjury." | | |
| A case, otherwise completed, need not be adjourned because the prisoner, at the last moment, says he has witnesses to call .. .. .. .. .. .. .. .. | vii. | 199 |
| Noticed, in a trial for 'breach of trust,' that there is so much of contradiction, not only in the evidence of the witnesses, but in the finding of the Assistant Magistrate, that the conviction cannot be upheld .. .. .. .. .. .. .. | vii. | 248 |
| Noticed, in a trial, the amount of hearsay admitted; the irregular record of a note; and the refusal to allow a Vakeel to cross-examine parties as to the character of a witness.. .. .. | vii. | 395 |
| Witnesses to an inquest report, knowing nothing of the subject upon which they had been called upon to speak, need not have been examined .. .. .. .. .. .. .. | vii. | 604 |
| If ever a material witness is not procurable, the cause of his absence should be elicited from some of the others .. .. | vii. | 766 |
| If a Session Judge be not able to obtain from witnesses the same information they gave before the Magistrate, he should show that his failure was not attributable to want of examination, but to some other cause .. .. .. .. .. .. | vii. | 766 |
| Witnesses should be called up in such order as will make the evidence, as much as possible, one unbroken narrative.. .. | vii. | 765-766 |

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| It is not necessary that a witness's deposition should be attested, and therefore attesting witnesses are not necessary to prove the deposition. It might have been proved by the Karkoon who wrote it, or by the District Police Officer by whom it was taken; and so long as it was taken in the prisoner's presence, and on affirmation, the prisoner having power to cross-examine the witness, it was good evidence, and, after the deponent's death, might, under Clause 7 Section 34 Regulation XIII. of 1827, have been used against the prisoner .. .. .. .. | viii. | 53 |
| A prisoner pleading guilty, the evidence of the witnesses need not have been taken to prove the depositions. It would have been sufficient to have read the depositions and the former confession, and then, if he adhered to his plea, recorded the finding—the prisoner is found 'guilty' .. .. .. .. .. .. | ix. | 49 |
| If the principle were conceded which influences an Acting Joint Magistrate, that the parties acquitted on a trial might injure those by whom they were prosecuted, every person might be called upon to keep the peace towards the witnesses for the prosecution .. .. .. .. .. .. .. .. | ix. | 162 |
| The Court direct a Session Judge, under Clause 3 Section 33 Regulation XII. of 1827, to give a witness a reward of fifty Rupees for his very spirited conduct and personal exertions in apprehending a prisoner convicted of 'attempt to commit murder' .. | ix. | 457 |
| A Session Judge, having called witnesses, ought to have examined them, or assigned some valid reason for not doing so, and not merely have recorded that he did not consider it advisable .. | viii. | 482 |
| Noticed an Assistant Magistrate's omitting to ask a prisoner if he had any witnesses to call .. .. .. .. .. .. | x. | 347 |
| Observed, in the trial of a case, that the Session Judge should have arranged the witnesses differently .. .. .. .. .. | x. | 530 |
| Noticed instance in which a Police Patel should have been examined as a witness for the prosecution .. .. .. | x. | 604 |
| A man should not have been tried for perjury because the trying authority, trying a case in which he was witness for the defence, obtained from him a statement which, having no reference to the defence, he did not come prepared to make, and which cannot therefore be held to be wilful .. .. .. .. .. | x. | 604 |
| The attention of the magisterial authorities is called to printed circular No. 411, of the 13th October 1849, and to their frequent remarks against taking statements in an *ex-parte* inquiry on affirmation, and using them as depositions, instead of taking depositions afresh from the witnesses .. .. .. .. | x. | 680 |
| A Deputy Magistrate should not have limited a prisoner to the production of five witnesses only .. .. .. .. .. | x. | 716 |
| *See* also "Evidence." | | |
| Woman, | | |
| Misconduct of a Police Naik in the concealment of a woman, charged with theft, of whom the Police were in search .. .. | i. | 202 |
| A woman tried for, and acquitted of murder, on the ground of insanity, is, under a warrant of Government, directed to be removed to the Lunatic Asylum at Colaba .. .. .. .. | i. | 245 |
| A Session Judge too readily, and upon insufficient ground, assumes that a woman was murdered because esteemed a witch; and too hastily advances this presumption as an extenuation, if such it ought to be, for such a heinous crime as murder .. .. .. | i. | 334 |
| Noticed the great irregularity of a Police Patel allowing a woman, accused of murder, to return, on a frivolous pretext, to her own house, instead of keeping her in confinement in the chowkee with the other prisoners .. .. .. .. .. .. | ii. | 41 |

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| Humanity ought to have suggested to a Police Patel the impropriety of removing a female prisoner soon after childbirth .. | ii. | 41 |
| The excuse of a District Police Officer for not, in taking the deposition of a woman, administering the affirmation, because, had the woman lived, she would have been subject to a criminal prosecution herself for abortion, is altogether inadmissible .. | ii. | 272 |
| A well should have been examined to ascertain whether, as alleged by a woman charged with the murder of her two children, she and the murdered children could have been pushed into it. | ii. | 468 |
| A prisoner, tried for serious assault, should, such was the murderous assault he made upon a woman, have been tried for attempt to commit murder, and dealt with accordingly .. .. .. | ii. | 520 |
| Murder of a woman because esteemed a witch .. .. .. | ii. | 260–269 |
| Ditto ditto ditto .. .. .. | ii. | 645–649 |
| In a case of murder committed by a woman, a capital sentence should have been passed on the prisoner.. .. .. .. | iii. | 18– 21 |
| A woman, a native of the zillah whence expelled, is not amenable to expulsion thence under Section 28 Regulation XII. of 1827.. | iii. | 432–434 |
| Conviction could not be allowed to take place on the unsupported testimony of a woman who admitted having accused another prisoner falsely, because she thought it would be pleasing to the Police. | iii. | 834 |
| A woman, who was guilty, according to her own account, of 'concealment of murder before and after the fact,' and had been examined as an accused person on a charge of 'murder,' ought to have been pardoned before her evidence was taken; and it was not competent to cite her as a witness for the prosecution; for, before she was pardoned, she was exempted by law from being called upon to state anything criminatory of herself. Her conviction and sentence for perjury are therefore annulled.. | iii. | 868–869 |
| Noticed that, in consequence of the culpable neglect of a Police Patel, in refusing to write any report to the District Police Officer of the injuries received by a woman, her dying declaration was not taken down .. .. .. .. .. .. | iv. | 328–329 |
| Noticed instance in which the charge against a woman should have been not only 'murder,' but 'murder, with robbery' .. | iv. | 338 |
| A female prisoner, afflicted with insanity, the result of epilepsy, can be kept in the cells appropriated for insane patients in the jail.. | iv. | 385–386 |
| Abuse of a party, while officiating as District Police Officer, in ordering two Policemen to torture a woman to extort confession. | iv. | 665–681 |
| Noticed the remissness of a Police peon while on guard at the house of a woman accused of murder .. .. .. .. .. | iv. | 867 |
| Noticed the impropriety of having allowed a grown-up woman, suspected of murder, to remain in her house during the whole of the night the murdered girl was missed, while other three females, of whom two were young girls, were apprehended and removed. | iv. | 867 |
| Noticed as bad and to be corrected, the practice of allowing male and female prisoners, whose offences are under investigation, to be kept indiscriminately together, even at night-time .. .. | v. | 37– 38 |
| Noticed as bad and to be prohibited, the practice of allowing female prisoners to sleep all night in the same room with the peons who guard them .. .. .. .. .. .. | v. | 37– 38 |
| Noticed the ill-treatment of a woman by the Police, and the utter disregard of a Foujdar to her cries and entreaties .. .. | v. | 37– 38 |
| The case of a woman, illegally dispossessed of property by parties, on the plea of preserving it for her son (a minor), should have been entertained by the Magistrate, who, if he did not punish the defendants, should certainly have replaced the woman in possession until she was dispossessed by law .. .. .. | v. | 155–160 |
| Ditto ditto ditto ditto .. | v. | 383–385 |

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| A man, who held a woman while her husband cut off her nose, should have been charged with, committed for, and convicted of, the assault .. .. .. .. .. .. .. | v. | 574-575 |
| The conviction of, and sentence passed upon, a woman for interference and endeavouring to defeat the ends of justice, by making signs to her brother (who was giving a full account, before the Court, of what took place in the case of murder of which he was accused) to criminate himself no further, are annulled, the Court considering her conduct very natural and unblamable under the circumstances in which her brother was placed .. .. .. .. .. .. .. | v. | 564-568 |
| Noticed a Police Patel's neglect to examine, until the next day, the body of a woman who complained to him of having been beaten and maltreated by the Police .. .. .. .. | v. | 726 |
| Noticed a Police Patel's connivance in, and tacit assent to, the ill-treatment a woman received from certain of the Police, who have been convicted of, and punished for, the offence .. .. | v. | 726 |
| A woman, the sentence upon whom, for 'child stealing,' the Sudder Court annulled, is remanded to be tried upon the second count—that of 'receiving a child, knowing it to be stolen, and thus offending against the law of her faith' .. .. .. | v. | 807-808 |
| A man, beating a woman of low vital powers, and thereby accelerating her death, received a mitigated sentence of imprisonment with hard labour for one year .. .. .. .. .. | vi. | 816 |
| Murder of a woman because esteemed a witch .. .. .. | vii. | 1- 6 |
| Ditto ditto ditto .. .. .. | vii. | 6- 11 |
| The opinion of the Modee, of a Parsee punchayet, is clear that a Parsee woman cannot, during her husband's lifetime and without his consent, marry another man, and that if she do, the contract is null and void, and she and the man are guilty of adultery .. .. .. .. .. .. .. .. | viii. | 111 |
| Misconduct of a Police Patel in not reporting the death of a woman to the District Police Officer, and allowing her property to be expended .. .. .. .. .. .. .. | ix. | 100-106 |
| The case of an insane person, convicted of killing a woman, is to be laid before Government, in conformity with Act IV. of 1849 .. .. .. .. .. .. .. .. | ix. | 228 |
| Noticed, in a case of 'murder,' that the wife should have been convicted of the attempt upon her husband's life .. .. .. | ix. | 275 |
| Gross neglect of duty as Police officers, in knowingly giving a false report of a deceased woman who had been shamefully maltreated and purposely mutilated .. .. .. .. | ix. | 327-335 |
| Noticed, as reprehensible, the occurrence of a delay of two days before an inquest was held on the body of a deceased woman.. | x. | 338-339 |
| Cited instances in Candeish and the Konkun in which parties had been sentenced to death for the murder of women reputed to be witches .. .. .. .. .. .. .. .. | x. | 356-357 |
| A woman, still maintaining a claim against her husband, is bound to conduct herself as his wife, even though they may have lived separately for ten years .. .. .. .. .. .. | x. | 595 |
| *See* also "Female," "Wife," and under the heads of "Abortion," "Adultery," "Murder," &c. for the implication of women in those crimes. | | |
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| Wood, | | |
| Felling wood in a Government forest .. .. .. .. | iv. | 506-508 |
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| Wooka Suda.—Robbery, with force, by day .. .. .. .. | ix. | 493-494 |

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| Word, | | |
| Police officers too frequently write down in their own words, and not in those of the witness, the general impression which they receive from the deposition .. .. .. .. .. | iii. | 710 |
| The use of such words and phrases as 'swindled out of his money,' &c. are objectionable .. .. .. .. .. | iv. | 234 |
| A charge of perjury is never to be tried unless the very words the deceased is said to have uttered are set forth .. .. .. | v. | 786 |
| Wound, | | |
| The mere circumstance of a wound being unattended to in the first instance, and afterwards unskilfully treated, is no justification of the party who inflicted it; for if the wound inflicted were calculated to produce death, the party using the weapon and causing the wounds is guilty of murder, whatever the subsequent treatment may have been .. .. .. .. .. .. | i. | 262 |
| Wounding, | | |
| Vala Dhoolia .. .. .. .. .. .. .. | i. | 408–409 |
| On an inquest report it is necessary to record merely the wounds on a corpse; the opinion of the inquest that the deceased died from those wounds; and that the prisoner had caused those wounds .. .. .. .. .. .. .. | ii. | 7 |
| Noticed, on a trial for murder, that the deposition of the deceased contains matter which had evidently been put into his mouth by the officer who took it, in that he, a man mortally wounded, and within a few hours of his death, is made to describe (what it was manifestly impossible for him to state from personal observation) the length, breadth, depth, and situation of each of the six wounds which had been inflicted upon him .. .. | iii. | 710 |
| Noticed, on a second occasion, a wounded man having been caused to describe, in the deposition taken from him before his death, the length, breadth, and depth of wounds which, being on the top of his head, he could not see .. .. .. .. .. | iii. | 800 |
| It would be well to take a new deposition whenever the condition of a wounded man, who appeared likely to survive when first examined, becomes so much worse as to make a fatal termination probable. Evidence should also be forthcoming at the trial to show that such deposition was given when death appeared imminent .. .. .. .. .. .. .. .. | iii. | 800 |
| Noticed the commendable promptitude with which the deposition of a wounded man was taken, whose sudden death points out the necessity of prompt investigation in such cases .. .. | iv. | 836 |
| Noticed instance in which evidence ought to have been taken to show that a man who died in hospital was the same as he who had been assailed and wounded at the village .. .. .. | v. | 701–702 |
| Noticed, in a case of murder, that the Session Judge ought to have examined the doctor who dressed the wounds .. .. .. | vi. | 481 |
| Proclamation by the Magistrate of Poona, prohibiting the churkh-pooja, the self-infliction of wounds by swords, &c., and such like penances .. .. .. .. .. .. .. | vi. | 758–759 |
| Writer, | | |
| A charge of bribery against a Police writer ought to have been disposed of by the Magistrate .. .. .. .. .. | iv. | 10– 11 |
| *See* also "Karkoon." | | |
| Wristlet, | | |
| The evidence of goldsmiths, or assayers, ought to have been taken as to whether the wristlet was of brass or other metal .. .. | viii. | 65 |
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| Wuttundar Koolkurnee, | | |
| A Wuttundar Koolkurnee is charged with, and convicted of, embezzlement, &c. .. .. .. .. .. .. | x. | 453–457 |

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| Yesoo bin Ramjee.—Praying for redress, he having been dismissed from his situation .. .. .. .. .. .. .. | vii. | 155–158 |
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| Youth, | | |
| The youth of witnesses is no reason for their not being sworn .. | i. | 574 |
| The statements of such witnesses as are too young, or too ignorant, cannot be received.. .. .. .. .. .. .. | i. | 574 |

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| A woman, sentenced to transportation for life, for attempt to kill her husband by cutting him, is, on account of her youth, she being but fifteen years of age, adjudged by the Sudder six months solitary confinement .. .. .. .. .. | vi. | 481 |
| *See* also "Age." | | |
| The sentence of transportation for life, passed upon a prisoner (aged twenty) for a murderous assault, in which life was lost, is, on account of his youth and the punishment of his uncle and brothers, mitigated by Government, at the recommendation of the Sudder, to three years imprisonment with hard labour, and solitary confinement for six months .. .. .. .. | vi. | 910 |

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| Zameendar, | | |
| An accused Zameendar must, under Clause 1 Section 15 Regulation XV. of 1827, be tried by a Magistrate .. .. .. | ii. | 728 |
| The conviction of an accused Zameendar, tried under Clause 1 Section 15 Regulation XV. of 1827 by a District Deputy Magistrate, is, though confirmed by the Magistrate, annulled as illegal, the language of the regulation clearly implying that the Magistrate must himself try an accused Zameendar .. .. .. | ii. | 728 |
| Zamin Security.—*See* "Sanklee Zamin," "Security." | | |
| Zamplee, or jhamplee, or zampleebund, was, of old, the penalty superimposed on the community of villages in Guzerat for the non-payment of the mohsulee, or fine for breach of sanklee zamin. Zample and mohsulee are sanctioned by ancient usage, and the imposition of the former being consequent upon the non-fulfilment of the latter, is, on being imposed, levied in addition to it, and the defaulting community made answerable for both.. | iv. | 772 |
| Jhampleebund (reciprocal security system), | | |
| Bapoo Runchore .. .. .. .. .. .. | ix. | 368–370 |
| The orders of Government are, that all persons, managers of villages under the talookdaree tenure, shall become security for the villages under their management.. .. .. .. | ix. | 368 |
| A party, holding a puttah, or lease, under the talookdaree system, of the village of Churodia in Guzerat, having failed to comply with the orders of Government to become security for that village, a mohsul is, by order of the Superintendent of Police, placed upon him, and he, on appealing to the Sudder, is informed that there is no cause for interfering with the Magistrate's order; that petitioner, being a tenant-at-will, can give up the village if he please; or, when he has given security, he can complain to the Magistrate of any persons he suspects .. | ix. | 369–370 |
| Government direct that the jhamplee, or zampleebund, which is in force in the Ahmedabad zillah, shall, on no account, be abandoned, and that no exemption from the system shall be granted to the Sanund Talookdar .. .. .. .. .. | ix. | 369–370 |
| The jhampleebund should be strictly maintained, and be, from time to time, revised by the Superintendent of Police, who should make it a point of impressing on the people that their responsibilities of the system will be strictly enforced; and he should mention, in his report of each village, in what manner and to what extent it prevails .. .. .. .. .. | ix. | 369–370 |
| The Guzerat Police, especially that of Ahmedabad, requires support, and the jhampleebund should be strictly maintained and extended .. .. .. .. .. .. .. .. | ix. | 369–370 |
| Zauria bin Juseo, and eight others.—Forcibly resisting a Government officer in the discharge of his duties; attempt to commit robbery; and serious assault.. .. .. .. .. .. .. | v. | 267–272 |

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| Zillah, | | |
| Directed, in the case of a person who, not being an inhabitant of the zillah in which security was demanded from him, was required, notwithstanding, to furnish security, that the Magistrate must follow, in respect to him, the course laid down in Section 28 Regulation XII. of 1827 of expelling him from the district .. .. .. .. .. .. .. .. | iii. | 235 |
| A woman, native of the zillah whence expelled, is not amenable to expulsion thence under Section 28 Regulation XII. of 1827. | iii. | 432-434 |
| An order for 'expulsion' is cancelled as illegal, the prisoner being a native of the zillah whence it is sought to expel him .. .. | iii. | 814 |
| A sentence being held illegal, the case is returned to the Zillah Court in order that a legal sentence might be recorded.. .. | iv. | 186 |
| A Zillah Magistrate has the power to mitigate, or annul, the penalty of a security or recognisance bond exacted by one of his subordinates .. .. .. .. .. .. .. | iv. | 360 |
| In cases in which a Zillah Judge has no original jurisdiction, he could not, under the regulations, put parties on their trial until they had been committed by the Magistrate .. .. .. | vi. | 193 |
| A notorious offender, failing to give security, can, if not a native of the zillah, nor a British-born subject, be expelled .. .. | vi. | 576 |
| A Magistrate and Superintendent of Police have no power to banish a man the zillah, except upon his failing to furnish security .. .. .. .. .. .. .. .. | vi. | 885 |
| The further detention of a prisoner for a year is sanctioned, unless he be a foreigner, in which case the Magistrate should expel him the zillah .. .. .. .. .. .. .. | vii. | 263 |
| Expulsion from a zillah, | | |
| Abdoolla Newmoosalim.. .. .. .. .. .. | viii. | 608-609 |
| Ditto ditto .. .. .. .. .. .. | ix. | 84-85 |
| It is not imperative on a Magistrate to expel a man who is not a native of the zillah.. .. .. .. .. .. .. | viii. | 713 |


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